

GOVERNMENT OF RAJASTHAN



REPORT
OF THE
Rajasthan Jail Reforms Commission

सत्यमेव जयते

JAIPUR

March, 1964

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GOVERNMENT OF RAJASTHAN



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RAJASTHAN JAILS REFORMS COMMISSION

The Indian Jails Committee of 1919-20 produced the first comprehensive Report on prison administration and prison reforms in India. Its Report is by far the best available guide on the subject. It is, however, a matter of regret that some of its very useful recommendations still remain unimplemented

But India of today has tremendously changed during the last four and half decades. We are now free and masters of our own destiny. Human values and individual regenerations have assumed a new concept in a socialist economy. We are faced with new socio-economic problems.

With the fast changing economic pattern and rapid industrialization, the pattern of crime and delinquency is also creating new problems. Professional organised and habitual criminality is becoming more serious. The variety and enormity of a social behaviour necessitates fresh and sustained explorations in the field of scientific treatment and rehabilitation. The solution does not lie only in prisons. A well-planned synthetic treatment, keeping in view the current social transitions and psychological changes shall have to be devised. The prison and the community shall have to come nearer.

In this context, problems may vary from state to state in the Indian Republic due to geographical, social and economic situations but the over-all remedy shall have the same fundamental base.

And that base has been provided by the All India Jail Manual Committee (1957-59) in its monumental and very intelligent Report. The States have yet to judge and find out the extent to which they can adjust, adopt and synchro-

nize its recommendations in their situations and instead of leaving its analysis to the red tape, it would be a wise policy to obtain expert guidance and advice from eminent criminologists and penologists in our country.

Rajasthan is the first State in India which has embarked upon the great work of a comprehensive analysis and study of the subject.

The appointment of the Rajasthan Prison Reforms Commission is an epoch making event in the field of prison reforms as this is the first full fledged Commission on the subject appointed in the country.

The Commission was constituted by the Government Order No. F. 5 (37) O&M/62, dated the 11th August, 1962 to examine the present structure and administration of jails in the State and to recommend a scheme to make the jails better suited to present day conditions. It was inaugurated on 9th September, 1962 by the Chief Minister Shri Mohanlal Sukhadia at a special function presided over by the then Home Minister of the State, Shri Mathura Das Mathur. In his learned speech the Chief Minister expressed his hope that the Commission shall give a new light to the prison administration in the State, say in India. The personnel of the Commission originally was as follows :—

1. Shri Paripurnanand Varma,
Chairman,
All India Crime Prevention Society
Kanpur.
2. Dr. B. S. Haikerwal, M. A., LL. B.,
Ph. D., D. Litt.,
Secretary, All India Crime Prevention
Society, Lucknow and Registrar,
Kashi Vidyapith, Varanasi.

Chairman

Member

3. Dr. T. K. N. Unnithan, M. A., D. Litt. and
Ph. D., M. Sc., LL. B.,
Head of the University Department of
Sociology, University of Rajasthan,
Jaipur. *Member*
4. Shri J. J. Panakal, M. A., B. Sc.,
Head, Department of Criminology,
Juvenile Delinquency and Correctional
Administration, Tata Institute of
Social Sciences, Chembur, Bombay. *Member*
5. Shri T. N. Chaturvedi, Collector, Ajmer
(Now Director, Industries, Rajasthan.) *Member*
6. Shri Gulab Singh, Director,
Social Welfare Department,
Government of Rajasthan, Jaipur. *Member*
7. Shri Jwala Prasad, M. L. A. *Member*
8. Swami Kumaranand, M. L. A. *Member*
9. Dr. (Mrs.) Mangla Devi Talwar. *Member*
10. Shri Kewal Singh Pawar,
Inspector General of Prisons,
Rajasthan, Jaipur. *Member*
11. Shri Achleshwar Prasad Sharma;
Editor, Praja Sewak, Jodhpur. *Member*
12. Shri Hakikat Rai, Retired,
Deputy Inspector General of Police,
Jaipur.
13. Shri K. S. Ujjwal, Deputy Secretary,
P. W. D. *Member-Secretary*

Shri D. N. Ray, Director, Central Bureau of Correctional Services, Ministry of Home Affairs, Government of India, New Delhi and Dr. R. N. Saksena, Director, Indian Institute

of Social Sciences, University of Agra, Agra were subsequently co-opted as members of the Commission.

Shri Bhawani Mal, Superintendent of Police, Jaipur was appointed member of the Commission vide Government order dated the 7th February, 1963 in place of Shri Hakikat Rai, Retired Deputy Inspector General of Police, Rajasthan, who was appointed commandant of the Internment Camp at Deoli.

Shri N. N. Bhatnagar was appointed Member Secretary of the Commission from January, 1, 1963 in place of Shri K. S. Ujjwal, who was transferred as Secretary to the Rajasthan State Electricity Board.

The terms of reference of the Commission were the following :—

1. to examine the adequacy or otherwise of the existing provisions of laws and rules relating to the administration of jails in the State for effecting improvements in the jail administration with specific reference to the methods of dealing with the prisoners;
2. to consider the treatment of prisoners generally and to make recommendations with regard to the improvement of their diet, clothing, education and other amenities;
3. to consider the question of introducing reforms in jails with the object of making the prisoners useful members of the society;
4. to consider the advisability of revising the Rules of releasing selected prisoners on Parole and allowing them to be engaged in agricultural operations or other useful works;
5. to consider the advisability of discontinuing the system of convict overseers and warders and managing the internal administration through elected Panchayats;
6. to revise the Rules of interview and letters for prisoners;

28. Balotra
29. Sojat
30. Jaitaran
31. Aklera
32. Bundi
33. Chittorgarh
34. Hindaun

III CLASS SUB-JAILS

35. Bandikui
36. Malpura
37. Bayana
38. Karauli
39. Didwana
40. Jaisalmer
41. Nainwa
42. Rajsamand
43. Gangapur (Bhilwara)
44. Pokaran
45. Bhawani Mandi
46. Abu Road
47. Jahazpur.

The Commission issued an exhaustive questionnaire which is given in the appendix. It had the benefit of receiving the opinion of 74 persons, amongst whom there were 25 administrative officials, 14 jail officials, 3 police officials and 33 non-officials including 10 ladies.

The Report of the Commission consists of the following chapters :—

1. Prison and Prisoners
2. Jails in Rajasthan
3. Model Jail
4. Female Reformatory
5. Juvenile Jail
6. Open Camps

7. to introduce agricultural activities in Jails and to go into the question whether it would be advisable to attach separate farms to the jails at different places or to start large scale farming at one place;

8. to introduce a system of release on probation of good conduct prisoners from the jails;

9. to introduce means for the furtherance of education to such of the juveniles who are sentenced to a term of imprisonment at the time when they were students;

10. to consider the question of payment of wages to the prisoners;

11. to consider improvements in the existing jail industries and to recommend productive industries and crafts that can be suitably and economically introduced considering the advantages that the introduction of such industries and crafts would have in imparting training to prisoners and at the same time making the jails self-supporting as far as possible;

12. to consider the question of employment of prison labour in the construction of Rajasthan Canal Area where adequate labour is not available;

13. to consider how far the Jail Industries can be mechanised;

14. to examine the question of establishing a prisoners Aid Society and advise in regard to its constitution and functions and the possibility of its coordination with the Government;

15. to provide rules for the Prisoners Aid Fund, also known as Prisoners' Welfare Fund;

16. to consider the transfer of After Care and Rehabilitation Services of prisoners from the Social Welfare Department to the Jail Department;

17. to examine the question of introducing Children's Act in Rajasthan;

18. to consider the re-classification of the jails and sub-jails;

19. to consider the disposal of old articles such as at Alwar, Ajmer, Dholpur, Udaipur and Kota lying at various jails about which no record is available;

20. to consider the disposal of old records;

21. to consider the rules and procedure relating to the promotion and training of the Jail staff;

22. to consider the question of starting a Training School for the Jail personnel in Rajasthan;

23. to consider the adequacy or otherwise of the Internal Audit parties of the Jail Department;

24. to consider the feasibility of constructing a separate Hospital Unit for Rajasthan Prisoners at one place for the treatment of T.B. cases, Mental cases, Leprosy cases, Maternity cases and other such cases;

25. to consider the appointment of psychologist and psychiatrist for prisoners;

26. to consider the necessity of re-classification of criminals and discrimination in regard to their treatment in Jail accordingly;

27. to consider the problems of un-supported children of prisoners;

28. to classify the prisoners to be given cognizance as Political Prisoners and special treatment attached there to ;

29. to consider the feasibility of having Mass literacy drive in jails;

30. to consider such other matters the Commission thinks fit to be reported such as :—

Effect of prison life on (1) Individual (2) family (3) society, nature of jail crime, causes and solution;

31. to evaluate the result of measures taken to reform prisoners so far in the State and to suggest further measures in that regard;

32. to review the existing position of jail buildings and to suggest the type of accommodation that should be constructed or replaced;

33. to consider the question of segregation of prisoners of different categories at different jails or in different barracks within the same jail and giving them psychological treatment on scientific lines;

34. to consider the (1) classification of prisoners (2) system of remissions (3) prison industries (4) literacy of prisoners (5) rehabilitation (6) jail purchases (7) adequacy of existing staff etc;

35. to consider measures of economy in the jail department so that expenditure on improvements do not cause any net increase in expenditure;

The Commission held 16 sessions consisting of 51 sittings. These sittings were held at different places in the State viz. Jaipur, Ajmer, Udaipur, Kota, Alwar, Bikaner, Bharatpur, Jodhpur, Jaisalmer, etc. There were two main considerations behind the idea of meeting at different places. Firstly it afforded the members of the Commission an opportunity to see at first hand the working of and conditions in a wide cross-section of Jails in the State. Secondly, by this method the Commission could call for evidence a large number of local people whose worthy advice would not otherwise have been available to us. The total number of sittings attended by each members is given in the appendix.

From the very beginning the members of the Commission were requested and encouraged to visit as many Jails in

the State as possible and report their findings to the Chairman. The Chairman, the Member-Secretary, and the members of the Commission, individually or collectively, visited the following jails for inspection :—

1. Central Jail, Jaipur
2. Central Jail, Jodhpur
3. Model Jail, Ajmer
4. District Jail, Bikaner
5. District Jail, Kota
6. District Jail, Udaipur
7. District Jail, Alwar
8. District Jail, Sri Ganganagar
9. Juvenile Reformatory, Udaipur
10. State Reformatory for females at central Jail, Jaipur.

I CLASS SUB-JAILS

11. Jhalawar
12. Sirohi
13. Dholpur
14. Pratapgarh
15. Dungarpur
16. Sikar
17. Pali
18. Deeg
19. Barmer
20. Tonk
21. Jalore

II CLASS SUB-JAILS

22. Dausa
23. Sambhar
24. Sawai Madhopur
25. Nagaur
26. Parbatsar
27. Merta

7. Rehabilitation
8. Education of Prisoners
9. Jail Industries
10. Agriculture in Jails
11. Punishment and Reward
12. Probation
13. Administration
14. Jail Audit and Accounts
15. Training of Personnel
16. Panchayat and Cooperatives
17. Concluding Remarks
18. Appendices
19. Draft amendments to Jail Manual
20. Financial Implications.

A summary of the recommendations made by the Commission is appended chapterwise to the Report. It has been grouped together and given at the end of the Report.

To re-orient the existing prison administration and to have trained personnel to implement the reforms recommended by the Commission, additional expenditure is unavoidable. But the Commission has all along kept in view the finances of the State and it has suggested the desired improvements without imposing any serious burden on the tax-payer. Therefore some re-adjustments of present pattern have also been suggested which will result in considerable economy, both recurring and non-recurring. The actual financial implication is that while the recurring expenditure shall increase by approximately only Rs. 1.50 lakh a year, the non-recurring expenditure will increase by nearly Rs. 2.75 lakhs only. On the other hand, the receipts of the department shall increase considerably by the implementation of the productive schemes recommended by the Commission.

The Commission has submitted its report in eighteen months. The approximate expenses have not been more

than Rs. 1,500 00 a month. No member of the Commission, including the Chairman, has been paid any honorarium. It had only two stenos and two peons on the paid staff. One of the stenos was sanctioned at the sag end of its life. It would therefore be not out of place to mention that if the Commission would have been provided with adequate staff, it would have submitted its report much earlier.

NOTE BY THE CHAIRMAN

I was entrusted with a very difficult task by the Home Minister of Rajasthan, Shri Mathura Dasji Mathur. I was asked to pilot the project of the first Prison Commission in India. The personnel of the Commission consists of stalwarts in the field of criminology and penal reform. Naturally, in the company of such great thinkers, it was almost precarious to cke out such common formulas and principles which would be nearest to everyone's concept. I am immensely grateful to my colleagues for their tolerance and forbearance and for their adaptability and adjustments which enables me to produce an unanimous report. It may be of interest to note that financially, the net effect of the recommendations shall be an increase of only Rs. 83,564.

I may have proved a difficult Chairman but my colleagues were magnanimous. Our Member-Secretary was painstaking and tolerant. He was ushered for the first time to a new field. But his grasp was remarkable.

The Inspector General of Prisons, the Assistant Inspector General (whom we have proposed to be designated as Deputy Inspector General), the Assistant Accounts Officer Shri Ratan Chand, Shri Dwarka Prasad and other members of the staff of the office of the I. G. Prisons, my own Assistant Kumari Indra Mohani Sharma, M. A., Shri Ganga Sahai Sharma, Steno to the Member-Secretary, Shri C. K. Mathur Steno to the Commission and the Officers-in-charge and staff

of all the jails and sub-jails. I have visited, have been very good and condescending to me. Some of the District Collectors were very keen about prison reforms. The few police officers who took interest in the Commission were fully alive to the necessity of active collaboration between police and prison for the treatment and prevention of crime.

Prison administration in Rajasthan is quite progressive. The Department has able officers. The two Inspectors and several Assistant Jailors are extremely efficient. All they need is a positive directive and a scientific programme. Under the able guidance of the present Chief Minister, who is also the Home Minister, Jails in Rajasthan have a great future and let us hope that the Report of the Commission shall help in building that future. May be that this Report shall serve not only Rajasthan but other States also in our great Republic.



Paripurnanand Varma
Chairman

CHAPTER I

PRISON AND PRISONERS

Society implies order and order implies rules and standards of behaviour and conformity to norms. Therefore crime, understood as a deviation from these standards is the perennial concern of all conscientious individuals. The degree of adaptation to these social codes and goals is, however, not the same with all individuals, times and places. Since the process of development is what all port terms as "the successive rhythms of maladjustments and adjustments", it varies with them. Sociologically speaking, criminal behaviour is an evidence of the mal-adjustment and failure, complete or partial, of the offender in his relations to society.

The modern prison ideology is based on this assumption and it materially influences the correctional policy.

The correctional plan for reformation of convicts is based upon firstly, a system of values shared by social scientists and informed administrators regarding the plastic attributes of human nature and motivation and secondly, the increasing consciousness of humanitarian values and welfare planning. Even among criminologists who have if any, remote leaning towards Marxist conception of man, the realisation of the significance of predominant values and cultural pattern of a society in the structure of criminal

deviation has been accepted. In the final measure the success of correctional policy will lie in the dissemination of these values among the citizens to create strong social awareness for correction.

For its own regulation the Society has a certain set of rules and regulations and the nature of these regulations depends on the nature of the social order. It reacts to deviant behaviour as the very existence of the social organisation is in danger. The type of reaction depends on the values upheld by the Society and the nature of deviation. It may range from the mere expression of disapproval to the extermination of the violator from the society. The reaction to violation of social codes has come to be a group reaction from individual reaction by a process of increasing group concern. In modern society this reaction has been institutionalised against the deviant, who is now legally defined as an offender, and manifests itself in the modes and types of punishment.

The philosophy of people of any society—tribal, pastoral, agricultural or industrial—has its impact on the concept of crime and reaction to violation of law and law violators. The philosophy and institution of punishment relates to the general concept of nature of society, nature of individual, nature of offence and the objective of punishment. A tribal society ascribes its welfare to the pleasure of its gods or even the Head of the tribe, who was treated as representative of their deity. Violations of the norms of the tribe tantamounted to incurring the wrath of gods. Members of the tribe responsible for

the violation of the conduct norms of the society were considered worthy of extermination from the tribal group. In primitive society a very serious notice was taken of offences within the tribe. The vengeance even though private, was enforced by the tribal authority. The aggrieved or his family was even permitted to forgive, to compound or to take revenge. Serious crimes as crimes against social order, gods' will, murder of chief, etc. could not be compounded and the punishment was death or banishment. Penal law of ancient communities was not the law of crimes, but the law of rectification of wrongs. Justice was quick, spontaneous and its wisdom was never challenged.

In a society where the nature of behaviour of persons was ascribed to the soul in him, an offender was considered to be having a vicious soul and such souls needed expurgation by physical torture for the purification of their souls. The rise of the modern religions ascribed goodness as basic factor in human nature and evil acts were considered as the possession of man by evil spirits or Satan. The method of purification was physical torture or expiation i.e., self-imposed penances. Gradually, the society through its sovereign political institution viz., the State, took over the responsibility of 'Watching' the morals of its members and institutionalised methods of punishment for the restoration of the '*Fallen souls*'. The result was the discovery of different methods of physical inflictions approved by the pre-literate society. However, there is also evidence to show that in the tribal society

the functional needs of the system influenced the attitude towards the deviant more as compared to the literate societies which were always susceptible to vicissitudes of ideologies, changing conceptions of responsibility and basis of human action.

As man's social conscience underwent an evolutionary process the concept of wrongs changed from wrongs done to individuals to as wrongs done to social group. Such wrongs were deemed to be a threat to the cohesiveness of the group.

Historical background of punishment

The ancient *Smriti* writers thought that the person wronged had a natural urge for revenge or retribution (*Pratishodh*) and such feelings had the sympathy (*Sahanubhuti*) of the rest of the society. The individual, however, could not take the law into his own hands and, therefore, the State (Raja) saw to it that the feeling (*anubhuti*) for the retribution or revenge was to some degree satisfied by an adequate punishment to the wrong-doer. It was thought that the punishment to the wrong-doer served as an example and warning to all others who might be attempted to tread the path of violence and crime. This aspect of punishment has been dealt with in '*Rajdharma*' of *Mahabharat*, by Yagnyavalkya, Shukra or Chanakya. The end sought to be served by punishment was protection and security of the society and redemption of the soul of the guilty. The aim of punishment was retribution, retaliation or vengeance to a certain extent but primarily it was aimed at the restoration of the sinner or evil-doer.

Manu speaks of four methods of punishment: gentle admonition, severe reproof, fine and lastly by Corporal punishment; and declares that these punishments were prescribed for different offences and the severity of punishment varied with caste sex, income, social status and age. The rule of law, as understood today, was in the offing but law in the shape of sanctions and strictures definitely ruled. However, ancient Indian law givers laid great emphasis on the *motive* and *mind* of the individual—*Prerna* and *Buddhi*, as they termed it.

Sukracharya suggests that a king should administer his subjects by the fear of punishment (*dand*) and also by benevolence. Reprimand, fines, confiscation of wealth, expulsion from the city or the king's domains, branding, taking round on donkey's back, piercing limbs, death and mutilations were the forms of punishment which could be employed for keeping people on the right track. He believed and his belief was shared by *Apastamb* (another great law giver) that fear of punishment deterred people from falsehood and aggression and reformed the wicked. He also warns both against excessive and insufficient punishments. He is in favour of maintaining a balanced system of punishments so as to prevent and control commission of offences. Unlike Manu, he has given very little consideration for caste or status. He was nearer to Kautilya, who refused to have any such differentiations.

One of the earliest written survivals of ancient penal practices in the code of Hammur-

abi which is considered to be the basis of later western legislations. Hammurabi announced his mission "to cause justice to prevail in land, to destroy the wicked and the evil, to prevent the strong from oppressing the weak, to go forth like the sun.....to enlighten the land and to further the welfare of the people."

This code like the law of Manu in Indian outlines a detailed account of the role of the State in Social and economic matters. The system under the Hammurabi Code is a system of State administered punishments and personal redress of any kind was sternly ruled out. Death, mutilation, branding and banishment were the forms of punishment, besides fines. Approximately thirty seven offences were punishable by death. There is no mention of torture. A very little number of minor offences were punishable with fines. State was all pervasive and all forms of violations were secular violations.

The Mosaic tradition comes, chronologically, later than the Babylonian code. The former was a legal one, less sophisticated and less professional in approach. The religious and secular violations were distinguishable. The Mosaic codes fairly bristle with fatal sacerdotal crimes. The punishment was severe and death sentence and exile was sanctioned for a variety of offences. *Mublahar* (a torturous form of punishment) and scourging were also prevalent. *Mens Rea* of the 'Criminal intent' came to be recognised in awarding punishments and murder by accident was leniently viewed. The fear of God was great and crimes against God or man were dealt

with great severity. Offences falling within this category if not detected and punished, were supposed to bring the wrath of the Lord. The objective of punishment was 'appeasing the victim and removing the pollution created by the offence'. The basis of the Mosaic Codes was 'an eye for an eye' and 'a tooth for a tooth.'

The rise of the Roman Republic in the fifth century B. C. saw the adoption of the famous Twelve Tables which were actually an enacted code of laws. Everything indicated that they mark a definite transition from a system of private vengeance for wrongs committed to a state system of fines which were paid as compensation to the person wronged, the state fixing the amount. Blows and thefts could be compounded privately. Later, during the classical period of Rome crimes were classified into four categories-theft, robbery damage to property and outrage to persons. A thief was required to restore the stolen property and a robber was required to pay fourfold. Only that person was treated as thief who was found in the personal possession of stolen property. Patricide was the most heinous offence in ancient Rome. The loss of property was to be compensated and for injury or killing an animal, the highest compensation had to be paid. Damages had to be paid for violence to a person.

•Every method of execution was administered including burying alive, impelling, crucifixion, drowning, enforced suicide, beheading, burning and death by wild beasts in arena. One unique form was proscription. Numerous forms of

other punishments were also common such as temporary and permanent humiliation, degradation to the status of a slave, and branding on the forehead. Mutilations were also very common. Imprisonment at hard labour was not uncommon, specially during periods of labour shortage in quarries and mines. Punishments were discretionary varying with administrative or economic conditions and frequently with political expediency.

Thus punishment in Rome-Grecian times was more retributive and retaliatory in character. It aimed at taking revenge on the offender. Revenge gravitated from the personal unit to the social whole. A minor objective of punishment was deterrence to create a fear against committing crimes in the minds of violators, present and potential.

Christianity introduced a new approach towards the male-factor-that of loving one's enemy and doing good to even those who maliciously and despitefully treated the aggrieved. The great impact of Christianity upon penal law and practice in the West has been the substitution of imprisonment for torture and crucification.

Punishment in
Medaeval Europe

Mediaeval period of Europe is characterised by feudal social organisation, with the feudal lord at the apex who was the sole arbiter of law and order and the greatest disturber of peace. This involved duality of roles. Germanic law was the basic source of mediæval justice. It had drawn upon the Roman Code. The primary reason for punishment was to maintain

peace and order on the feudal estates and this governing principle was extended to the property of the kings. The idea of crime against an individual changed as crime against the king, who was the symbol of society, state and the social order. This concept in the beginning related to the property of the rulers. Eventually it extended to the whole community. In the beginning the women, sick and disabled who were not able to fight for themselves were allowed to retain the services of fighters, but this principle became general and professional fighters came up as a class as against the system of evidence and trial by witness. The transition from private vengeance to an administration of justice on the part of rulers was accompanied by a decline in the blood feud. If an offender could not pay the fine, he was punished corporally by being thrown into a prison where he was given scanty food and saline water unless some one paid his fine or he was produced by the bishop. In the middle-east prisoner had to live in the jail at his own cost. State refused to feed him.

After the period of renaissance, economic structure of the society began to change. The age of industry began to usher in. New economic social problems cropped up-Aristocracy, neo-aristocrates, industrial plutocrats, exploitation of labour, from guilds to labour organisations, and class struggles. So many social factors developed that those in authority had to wrack their vengeance or keep the recalcitrant under thumb. Definition of evil-doers and a social behaviour changed and also the methods of punishment to suit to requirements.

Religious bigotry, clash between puritans and catholics, struggle for power between the church and the king led to horrifying modes of torture and punishments.

The development of urban economy (and later the city economy) caused many serious economic maladjustments and the number of offenders called 'Vagrants' among the poor classes increased. These poor offenders were unable to pay their fines and the suppression of crime became a major issue. Peace also began to be threatened by Vagabonds, beggars, robbers, thieves and dacoits and the whole system was threatened. Accordingly punishment increasingly became harsher. It aimed at suppression. The old motive of reform also disappeared for some time. A class of professional criminals coming from lower strata of society was emerging and had to be suppressed as it endangered the class structure. Flogging, branding, mutilation and capital punishment were common. By the 16th century the death penalty seemed to be the only means of getting rid of dangerous professional criminals. By the 18th century over 250 offences were punishable by death in England. A variety of practices emerged and assumed the form of capital punishment, which were barbarous and torturous. Death penalty alone did not prove effective although the methods of inflicting death were inhumane and reminiscent of barbaric age.

Still, however, conception of crime and the criminal was based on the assumption of fixed typologies of human nature which offered little

scope for the possibility of scientific theory of crime and correction. Retribution remained the only policy in regard to criminal behaviour and its control.

The eighteenth century brought in a renaissance in the ideological sphere. Social and humane values began to be re-assessed. The Utilitarians made an attack on prevailing inhuman conditions in prisons. It was recognised that the Prison housed personalities warped intellectually, emotionally and habitually and that the Prisons were places where a man was sentenced to live in a bare, narrow cell in a gloomy building during which time he was deprived of his family, friends, occupation, earning power, and all other human liberties and in addition he was sentenced to putrid more damoralising to body, mind and soul, where he was given every opportunity to deteriorate but none to improve and where his tendency to wrong-doing could not be corrected but only aggravated. Banthem and James Mill challenged the rationale of severe law and advocated their hedonistic principle for balancing punishments with offences.

The rise of new
penology

In 1764, Cesare Beccaria, an Utopian Economist, published his treatise, 'An Essay in Crimes and Punishments' and appealed for review of criminal jurisprudence. Beccaria criticised the criminal law and its administration of his times, pleaded for mitigation, rational correspondence between the seriousness of the crime and the severity of punishment, and denounced torture, secret accusation and indiscriminate death penalty. But he was also

interested in the preventive aspect of crime. To quote him 'It is better to prevent crimes than to punish them. That is the fundamental principle of good legislation'. And he said that crimes could not be prevented without the help of scientific knowledge of the crime problem. Beccaria was of the view that 'the most certain method of preventing crimes is, to perfect the system of education'. Modern Criminology and Penology have accepted many of his views.

The contribution of the positivist school of criminology to correctional theory could be acknowledged not merely in suggesting liberal policy in the treatment of criminals but most prominently in focussing the attention of society for the first time on the empirical phenomena in the attributes of criminals personality and his behaviour. Of course, their suggested diagnosis had many flaws and directly led to the development of policy of deterrence and isolation with the problem of criminal deviance, yet the time of empirical and scientific tradition which the criminologists of this school laid down contributed a great deal to the development of scientific conception of crime and punishment.

Later on the individual and state relationship was reviewed by contractualists, social thinkers and utilitarian positivists and the obligation of the State came to be emphasised. The dignity of man and the personality of the individual also emerged as positive concepts. State gradually came to be considered as "An instrument to promote the greatest possible happiness

of the greatest possible number. "It came to be recognised that the aim of punishment was not retributive but deterrence to the social persons. The emergence of this approach led to a review of the penal policy and emphasised that degree of punishment to crime be adjusted in such a way that threat and unattractiveness of penalty could slightly exceed the advantage and temptation of the offence in the mind of a rational and responsible human being.

The developments in social sciences and in understanding of human behaviour brought in various factors and consideration in criminal treatment. The emphasis of crime-causation theories has shifted from physical, ecological and climatic factors to the elements in the social environment. As Dr. Sampurnanand puts it, "Society insists upon their (individuals) conforming to its rules of conduct but places them in situations in which they would be less than human if they did not rebel. This shift has been facilitated by recent advances in the techniques of study of the crime situation and the individual offender. Psychology and Psychoanalysis have stressed the gradual growth of a criminal career and also the role of early childhood experience. The family is of utmost importance, and its disintegration-moral, economic and social causes tensions in the individual which may find release in ways not acceptable to the society. The Gluecks have rightly warned "Society will continue to suffer from excessive delinquency and crime until it focusses much greater attention on childhood and family life." The disorganisation of neighbourhood as an

agency of social control gang membership and economic factors of poverty and un-employment have the same criminogenic effect. A major contribution in Penology has been the social re-insertion of the wayward. Human behaviour came to be known as reflected behaviour and subject to influence. The recognition brought in a desire to change the so-called delinquent.

Penology old and new.

The traditional methods of punishment, most of which are still prevalent, are death, transportation, custodial, flagellation and fines. The objective of these punishments, although is retribution and deterrence they are claimed to be reformatory. Imprisonment also serves a preventive function in as much as the detention of the offender saves him from the pressure of the circumstances forcing him to be a criminal.

Custodial treatment gained importance as a method of punishment when transportation gradually became impossible and the crude methods of capitulation came to be considered brutal and lost favour with penal authorities. Reformatory influence of imprisonment began to grow and gradually imprisonment replaced other forms of punishment. Death penalty which was prescribed as mentioned above for over 300 crimes in the 17th century is now in most of the countries for rape, culpable homicide and treason only. Empires and Colonies are disappearing fast. Therefore, transportation is not common. Physical torture and flagellation are also getting banned. Short-term imprisonment is being replaced with fines, otherwise fines are considered useless. Imprisonment for non-

payment of fines is considered a bad policy. Imprisonment is also a substitute for severe corporal and capital penalties. The system is the result of attempts to find out ways of mitigating the brutal requirements of "an eye for an eye". The Penology of the present day has encouraged a practice for lesser penalties such as fines or probation may be imposed, but there is always a treat of the possibility of imprisonment. The decreasing emphasis on death penalty has also further increased the importance of imprisonment.

But the history of imprisonment has been marked by vehement criticism of prison conditions and prison administration, and consequently attempts have been made to improve the living conditions physical and mental-inside the jails. It is absolutely necessary if the penal institutions are to take up their new role of correction and reformation of criminals and are not to remain a place of wrath and tear, sorrow and silence, where prisoner's life leads to despair, ruin of mind, enervating of body and spiritual negation and where he finds nothing to benefit him, nothing to make him better and to fit him to earn an honest livelihood. This has also led to the classification of penal institutions as Reformatory Schools, Borstal Institutions, certified schools, etc. and it is obvious that this in turn implies the question of reforming the whole jail administration along with the administration of the police and judiciary. For it is futile to think of reforming the criminals without first reforming the various agencies of law enforcement. In fact it is for such reasons that special

police & courts are now established to deal with juvenile and adolescent delinquents, that arrangements are made inside the penal institutions to provide for education, vocational training, healthy recreation and gainful work for the inmates. Dr. Sampurnanand's "Open Camps" is perhaps the boldest and the most imaginative step taken in India recently in this direction. Institutions of Open Camps exist in several advanced countries but Sampurnanand's Camps offer a unique approach to the problem of rehabilitation of the diseased social limb.

We need an
ideology

Having given the historical and social background of the development and growth of custodial institutions we shall have to admit the necessity of prisons for the protection and security of the society but more so for the reformation of criminals. One of the witnesses who appeared before the Commission raised the question—why should there be a prison at all? It has to be understood that the primary function of Jail is not protective but corrective.

The growth in prison system has been undergoing basic changes with changing conception of etiology and crime and possibility of reform. First, prisons were penitentiary, a theological and moralistic element in the organisation during the positivistic and utilitarian phase of criminal etiology they were used as tools of isolation and protection of society from the criminals, but the modern conception of prison is clinical. Prisons are maintained where not only the criminal is placed into a social system through which society is protected

from his deviance but where through creation of a healthy human situation with a scientific balance between constraint and dynamism of group situations, the prisoner is reformed. The new system of Prison like Borstal method and others offer a series of rewards and incentives to lead the prisoner emotionally, socially and habitually to the faith and conviction in such norms which concretely rehabilitate him not only in accepted modes of social living but also successful social living. The Parole system is one of such techniques to materialise the new objective of prison organisation.

A fairly big section in the society is exposed to such situations, social economic; domestic, environmental, family or relationships where tense circumstances and mental conflicts unbalance the life and frustration and maladjustments drag the individual to mire. In such cases when extra-institutional treatments prove inadequate institutionalisation is inevitable. But this is done not for revenge, not for retribution, not to offer him or her a chance for expiation, but for restoring an adjustment, social individual to the society. Thus modern penology is correctional and in the wake of its scheme for correction, it may adopt any method, from probation and parole to open-air institutions. But the objective of the prison policy is Social Re-insertion, i. e. Rehabilitation. This in cruz is the ideology of modern corrections. This ideology is translated into action by enforcing three related and continuous phases of treatment process : Probation, institutional training and parole.

Having travelled thus far, let us turn to the material inside the institutions. Many witnesses who appeared before the Commission appeared to suffer from the same complex which has been a problem for ages and against which penologists have been putting a brave fight. A criminal is neither boonnor a conscious manipulation. Crime is an objcctive concept. It denotes nothing but social resentment against the person who has transgressed the norms of society. He has gone beyond social mores. He has committed an act not approved by the society and its disapproval has cost him his liberty.

It is necessary that dissemination of new values penology with adequate institutional reinforcement be actively taken up. Methods of group work and community organisations have proved extremely effective in establishment of suitable voluntary services and organisation to support the clinical action programme of correction in other countries. The same may be taken up in our country more preferably as a part of the Community Development Programme and other Socio-economic programmes in the country. Publicity of such correctional concepts based on the fundamental goodness of human nature shall also counter probable disvalue of rationalistic acquisitive culture and channalise it into a culture complex of rational altruism onward to our goal of progressive cultural synthesis.

In ancient India the emphasis was on Kulchar and Lokachar, i. e. the mores in the family and the mores in the society. Modern sociology and

social psychology has admirably defined these traits as inherent in so far as they are learnt and imbibed from childhood. Social or political upheavels may, bring radical changes in the mores, modes and accepted norms governing the society. Therefore, they may be transient or as Harold Lasky puts it "mere indications of majority will." Therefore, we are lead to conclusion that the fundamental failing in the delinquent is nothing beyond the transgression of limits on behaviour imposed by the Society. The only thing he or she needs is to be brought back to the level of the behaviour of the majority. But the problems of every individual and traits of every person are unique in themselves. Therefore, treatment shall vary. Some may need institutional care and some may need only vigilance under probation. Only the goal is the same, i. e. Rehabilitation. The delinquent is the weaker brother in the society who may not deserve bouquets but that does not mean that he deserves brick-bats. The weaker brother is an object of sympathy, help and concern.

Hence the whole system of prison reformors has to be given fresh thinking for general policy formulations. The arguments of present day prison reforms would run like this (1) There are some criminals who are motivationally nearer the frings of normal behavioural adjustment than others, they should be given preferential treatment (star-mark); (2) there are some others who are habitual criminals or recidivists- they should be incapacitated from criminal

behaviour through isolation from community; (3) there are some convicts who, though committed crime for the first time, the nature of their crime is such that punishment should be retributive—the opportunity of being star-marked be closed to them and (4) finally, there is the largest section of convicts who have short-terms of imprisonment, they do not constitute a problem for serious correction plan, they should merely be segregated from convicts of serious nature of crime.

A thoughtful evaluation of the above premises of correctional policy would lay bare the element of eclecticism in the action programme of correction. Whereas the basis of the trend of correctional policy emanates from the evidence of plasticity, sensitiveness, and ever-dynamic nature of human personality assuming it to be never a finished product and hence belief that it can be changed, our policy steps for purely pragmatic feasibility deviate from these basic principles. We implicitly or explicitly accept retribution in one set of situation and reformation in the other. No doubt, there are serious reasons for this, but they do not rule out the urgent need for re-orientation of the scheme and ethics of correction in India.

A difficult task

More than two hundred years ago, it was a Christian Father in the West who declared from the precincts of his pontiff that a criminal is neither possessed nor a victim to satan. He opened the first reclamation – penitentiary in Rome. In the attempt to tackle the problem of crime and criminal through the ages the

criminal has now been brought to the level of an individual needing help. There is scope for optimism, determination and serious application to the great task of correction, reformation and rehabilitation of the offenders. An author has aptly remarked: "Let it no longer be said that jail is a place where physical degeneration is inevitable, where immorality is rampant, where spy system is universal, where maddening monotony rules supreme, where life is thwarted, where mental deterioration is inevitable. How inspiring it will be if we hear in future that jails are places where inadequate and maladjusted personalities are re-adjusted and where healthy social life prevails."

The above are the dangers or ills of jail administration against which society has to be saved; for a badly managed jail breeds hardened social derelicts and infectious social lepers. Doubts were expressed before the Commission that if jails become seats of luxury and privileges, they would attract the hither-to nervous or weak criminals. This primitive notion has been set to rest by jail statistics. Increase in crime today is a result of those socio-economic industrial factors over which the jails have no control. It is the percentage of habituals which can be one of the safe yardsticks to judge the success or failure of a jail. That scale is in favour of modern correctional ideology. Over and above all, man is to be treated as man. To be human, we have to be human.

Yet we are fully conscious of the immensity of the task, Rehabilitation is the goal of jail

administration. It is not a simple undefined generic loose concept. It requires individualised education in the setting of the individual himself. Every case needs a separate medical, sociological, psychological study and a scientific classification. And if the requirements are to be squarely met, an elaborate system of institutional administration and services reception, classification, health, education, training, work, mental, healthy social case work and group work, discipline, rewards and punishments, social contracts by visits, correspondences etc; are needed.

It would be perhaps a better policy to tone up the general standard of welfare in all kinds of jails with proper segregations of prisoners on the basis of age, sex, nature of crime and socio-cultural backgrounds than only to concentrate on a few model prisons. The success of correctional plan does not lie so much in making an excellent home for the convict inside the prison community or the open air camp as in rehabilitating him back again with his family and socio-cultural milieu from which he has been withdrawn. Often in our enthusiasm for intra-mural treatment we lose sight of this essential goal of all correctional schemes. Even during the period of incarceration, therefore, the prisoner should be allowed to maintain as far as possible active touch with his family, kiths and kins, and community. The existing rules for such facilities should be further liberalised so that after release the convict may find it easier to settle down.

For prisoners under-trials there should be suitable remand homes, there should also be arrangement for general observation of the convict. The remand homes should be separate on the basis of age groups, sex, as well as the nature of offences committed.

The fundamental motivation of man for crime is rooted in the pattern of socio-economic deprivations in relation to his/her psycho-cultural maturation and patterning. It is for this fact that correctional plan has to be synchronised with overall welfare planning. The overwhelming deprivations which are at the roots of criminal deviation in our country seem to be socio-economic. The emotionally maladjusted and perverted constitute a relatively smaller proportion of total prison population. However, as the experiences of the affluent societies have indicated there is no correlation between solution of the problem of economic deprivations with reduction in the incidence of crime. The deprivations of emotional and psychological nature of increase with economic welfare or perhaps, the pattern of economic deprivation may itself undergo change resulting into organised white-collar crime.

Punishment has two fold connotation in modern criminology, specially, when we evaluate its role in the control of criminal behaviour; firstly, as an instrument symbolising the expression of disapproval of society and secondly, as a mechanism of introducing inhibitions against individual mode of behavioural adjustment, defined by larger society as crime. Analysis of

the role of punishment should be attempted from both angles, i. e. societal as well as personal.

It is in this context of appraisal of the role, punishment and reward system emerges as a logical corrolary of the scheme. In the above sense, punishment is a modern concept. It has developed as a result of the maturation of the social sciences as well as biological sciences, specially in the field of human psychology, theories of learning, motivation and its bio-sociological basis, the synthesis of modern sociology, experimental psychology and psycho-analysis has opened up an entirely new vista in the mystery of human nature and its adjustment as well as mal-adjustment. There is no longer a closed concept of personality; the days of particularistic explanations are over and consequently the absolution of the rational versus irrational assumptions about the basic nature of man has been replaced by a conception which is dynamic, relativistic and yet understandable.

The etiology of crime, as of any form of deviance, therefore, in the new scheme of analysis would either represent a systematic (culturally adapted) or casual, accidental, exposure to a pattern of deprivations which creates compulsive situation, for such selection of norms and goals of behaviour, which not only contradicts but endangers the order of society. These norms and goals may not always be sporadic or random but institutionalised in a way antithetic to those prescribed by society, in general. Thus criminal is treated neither as a mentally sick person nor

one who shares fuller responsibility individually, for his action. The former, because a criminal never loses the 'reality principle' in social action (he has no substitute of a 'fantasy world' to solve the problem of extremely painful experience of the real world) and hence is responsible as he is responsive; yet his responsibility is a mask which is not of own choosing, but framed upon him by the interlocking unique maladjustment of mechanism of culture and society in his personality.

It is often argued in a strain of overenthusiasm of euphoric altruism (a very temporary turn of moods) that a criminal is a sick man, a patient, who is not responsible for his action. The awkwardness of this statement is not realised in the dazed self-elation of the persons who spell out such a radical yet human statement. However, the logical inference of such assumption would be to look out for many more mental hospitals than institutions for correction and rehabilitation. The one who is not responsible, would not be responsive and would not be punished or rewarded either. The act of crime is a responsible irresponsibility. It is responsible, since all criminal behaviours are normative behaviours and irresponsible because the individual in personality is only a segment of potentialities which develops through perpetual interaction with the socio-cultural milieu, a phenomenon beyond his control.

The theory of punishment and reward from a scientific point of view are two aspects of the same process of systematic learning and unlearn-

ing (inhibition). The earliest theories of punishment did not realise this relativism of the two experiences and so did the hedonistic-philosophers who contended that the nature of pleasure and pain experiences is discrete, absolute, and independent. Development in psycho-analysis and sociology has shattered such theories and it is increasingly being emphasised that reward plays a more effective role in human learning than does punishment.

In the context of correction of criminals the implication of these theoretical developments is obvious. The reform of criminals would mean both unlearning of the hitherto-evolved mode of behavioural adjustment and learning of a new role. Between these two stages, e. g. the present and the prospective, the culturally learned behaviours and experiences work as barriers. To establish communication between the two punishment alone would prove to be a negative instrument. Punishment either reinforces the feeling of individual or group alienation or the feeling of increased inhibition towards the learned mode of conduct. It never does propell the individual to look out for new avenues far existing modes of adjustment and behavioural norms. Punishment alone would create an image of society as mere tormentor and not as redeemer. Reward accompanied with punishment would put society in the image of the 'parents', a situation nearer home to positive learning. This in brief is the philosophy of reward and punishment in modern correction.

After freedom, India has very boldly embarked upon the road to penal reform and

implementations of modern techniques in jail administration. It has learnt a good deal from the researches and experiments carried out in this sphere in the West but it has involved its own techniques and in several respects. The lesson from more than a decades experiments in the reformation of convicts has not been discouraging if evaluated only in terms of increasing number of model jails, reformatories, open air work camps, etc. etc. for a selected number of convicts. However, a proper scientific nationwide scrutiny of schemes of this nature is yet to be conducted. Even in the absence of such systematic analysis, the future perspective of correctional schemes in our country can be laid down in the background of a selected number of factors such as (1) the logical implications of acceptance of a correctional and rehabilitation plan of action to the existing norms and values of society and vice versa; (2) the repercussions of such plan on the priority scale of welfare planning in the country, in relation to the dominant pattern of deprivation of people; (3) the extent of the use of legal versus normative criteria on the classification of convicts for corection; (4) the extent of social reinforcements and organisation of schemes; (5) the extent of effectiveness and complimentarity of criminal justice with correctional plan and (6) the synchronisation of the correctional plans with the overall process and direction of social change in the country.

Of course we have been lacking in cohesion and unified standardisation in this direction. Jails are State subject. A centralised drive was

wanting. After the admirable Report of the Indian Jail Committee of 1919-20, there was not even a central survey of jail administration. The All India Jail Manual Committee of 1957-58 has been the first concentrated and great work in coordinating and guiding all progressive correctional administration on a standard basis. The Central Bureau of Correctional services has just started to function. These are happy auguries but every state has its own peculiar problem to solve. Every state has its own crime and jail situations. Every State has to weigh and pros and cons of the All India Jail Manual, its applicability and adjustments, if any. Unfortunately, there has been no Jail committee or Commission in any State after 1947 which has gone over the whole problem of jail administration and it goes to the credit and wisdom of the Home Minister of Rajasthan to have thought of this very urgent necessity and while congratulating him, we think him also for having entrusted the task to us. We have tried our level best to serve the State.

Indian society, is undergoing a rapid and strenuous process of cultural change which is at times marked with symptoms of ambivalence between various levels of cultural norms. In spite of this fact, the new measures of reform and innovation have been accepted without much resistance. Probably the reason being that most of the programmes have remained confined to State patronage without equivalent demand for public participation. The correctional reforms have been particularly of this nature. However, the ultimate expansion and success of these correctional plans would have to take account

of the prevailing values regarding crime and criminality in the community. In the elementary stages of intra-mural treatment within the Model Jails, or Open Air Camps or in Jail Community only a part of the process of rehabilitation can be achieved. The long-term planning would necessitate the active and favourable response from the community. It is at this stage that serious thinking is desirable. In all advanced countries, the correctional administration draws heavy support from voluntary and philanthropic organisations to help the criminal rehabilitate. In India, the voluntary organisations are fewer, and those that exist are less effective in dissemination of new values which are indispensable for the success of clinical approach in penology.

Voluntary organisation such as Prisoners Aid Fund, Prisoners' Rehabilitation Society, Prisoners' Family welfare Society should be organised on an intensive basis to support the steps taken by the State. The substantial number of voluntary organisations would not only play a supporting role in the reformation and treatment programme of the convicts but shall also be reliable index of communities acceptance of new values of penal reform. Moreover, the voluntary basis of such organisations would make it durable on the one hand and would also be free from tax-payers' psychology of hostile participation. Besides, new voluntary organisations, the existing voluntary welfare organisation should also be included as far as possible to serve the end of correction-plan.

A full scale plan of correction should concentrate upon the following areas of reform. Firstly, the classification of convicts secondly, the placement of convicts into proper types of Jail, according to the nature of crime and other factors; thirdly, mobilisation of public opinion and voluntary organisations outside the jail to which ultimately the prisoners belong and where he has to rehabilitate, fourthly, development of proper administration for the organisation of such bodies and keeping contact with the convict outside the jail. Adequate number of Probation and Reformation Officers should be employed with adequate training in principle of criminology, sociology and social work; finally, another area where the correctional programme should indirectly concentrate is that of criminal justice. Although, it cannot be put within direct charge of correctional administration to come in the way of judicial system out through active contact with the community and police organisation the correctional administration should ensure that the innocent are not implicated in crime for which they are not responsible. The conviction of the innocent, for many reasons has a demoralising effect on the whole scheme of correction and treatment of criminals. There should, therefore, be closer collaboration of correctional administration with the police on the one hand and community on the other.

In this chapter we have made out a case for penal and jail reform, as briefly as possible. In the following chapters we shall proceed step by step to the completion of the subject.

CHAPTER II

JAILS IN RAJASTHAN

We have defined crime and the criminal. But the definitions of crime and the criminal have been changing to suit the changes in society and social environments. Interplay of social, cultural and economic developments bring out new problems. Leaving a few common basic factors, the problem of each nation, like each individual, are unique. The differences of history and culture, of resources and available technology, and of political and social aspirations inevitably affect the contours of economic developments in varied forms. Yet, there is a common sequence of problems which had to be faced, at similar stage, by all countries. Some limited guidance from the experience of others can be obtained.

Basic Sequences

The All India Jail Manual Committee has very correctly said that "The solutions to the problems of crime and delinquent do not lie only in the prisons, they lie in other socio-economic fields as well."¹ This field is a little different in Rajasthan from other big states in India. After Madhya Pradesh, it is the biggest state in area in India, i.e., 132, 147 sq. miles with 31,704 villages and only six towns with a population of over 100,000 and only two towns with a population of between 50,000 and 100,000. In area it

The problem is different.

1. Report Page 2.

is much bigger than the most populated state of Uttar Pradesh (115,000 sq. miles); its population is only 20,298,000 as against 73,753,000 of Uttar Pradesh. The biggest town of Rajasthan Jaipur has a population of 404,000 as against 509,000 of Agra. But the rise in the population of these two states has been on a quite different place. It is 16.7 percent between 1951-61 in Uttar Pradesh and 26.1 percent in Rajasthan, in the last decade.

Prison Population

A comparative analysis of Prison Population of the States in India is not possible for want of latest figures. The Central Bureau of Correctional Services, New Delhi, has published figures for 1963 in its January, 1964 issue of *Social Defence*. According to this report the number of convicts admitted in some of the states in 1960 was the followings:—

	Direct admission as convicts	Daily average (convicts)
Andhra Pradesh	47,567	6,363
Bihar	26,164	10,917
Gujarat	11,233	3,053
Kerala	10,454	2,404
Madhya Pradesh	8,927	5,562
Madras	56,082	15,034
Maharashtra	76,062	10,340
Delhi	3,875	964
Rajasthan	7,062	2,988
Uttar Pradesh	46,743	25,000

The total turnover of convicts and undertrials was the following.

Andhra Pradesh	1,00,517
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Bihar	96,667
Gujarat	32,420
Kerala	17,640
Madhya Pradesh	33,488
Madras	1,59,399
Maharashtra	1,83,393
Rajasthan	26,137
Uttar Pradesh	1,57,698
West Bengal	1,33,367
Punjab	93,001

One out of 24 of the U. P. Jail population has been a juvenile for the last several years. It is only one out of 50 in Rajasthan. 60 per cent of the U. P. jails inmates belong to rural areas. There is obvious difference in the pattern of jail population of Rajasthan and that of other States in India.

But Rajasthan is growing and progressing fast. In last 20 years its population has jumped from 13.86 millions to 20.15 millions. Its sandy wastes are being converted into fertile belts. Its vast mineral resources and industrial potentialities are being exploited; now Jaipur, Udaipur Kota etc. are humming with industrial activities. The State's outlay in the First Plan (actuals) was Rs. 67 crores. It rose to Rs. 99 crores (estimated) in the Second Plan. The Third Plan target is Rs. 236 crores, almost equal to that of Mysore, Punjab, West Bengal, Gujarat and only 60 lakhs less than that of Madras.¹

Rajasthan.

A new Rajasthan with a new socio-economic pattern is emerging fast. The shifting of the rural population, whipped by regular draughts

1. Third Five Year Plan-Planning Commission.

and vagaries of nature, has already started. Rural population is moving into towns. Urbanisation is at a much quicker pace in Rajasthan than in many States in India. The gates of cities which were closed in feudal days are now wide open. The glamour of city life is attractive. In India, as it is in other parts of Asia, cities are growing without a concomitant growth of industrialization to provide them with the resources to absorb the rural over flow. "There is a general lack of secondary and tertiary industries to provide wealth for the cities and employment for rural migrants seeking it. Rural destitution and backwardness have thus been merely transferred to the cities, and the result has been a gross intensification of problems of sanitation, health, housing education and social welfare. Many of these cities have thus been aptly called over urbanized"¹

Thus the population texture of Rajasthan is also changing. The rush of the people from countryside to cities due to the pull of industrial and other employment opportunities in urban areas is bound to create new problems of crime and criminals in the State. Rajasthan shall have to face the growing problem of juvenile delinquency. A few witnesses who appeared before the Commission were of opinion that juvenile delinquency is no problem at the present juncture, while a large number maintained that it is a problem even today.

The joint UN/UNESCO Seminar on Urbanisation held at Bangkok, (1956) came to the conclusion that :-

1. *International Review of Criminal Policy, June, 1962-United Nations Page 3-4.*

The rapid growth of urban society in recent years, particularly in the less developed countries, has been commonly regarded as having a close association with the appearance of, or increase in, certain types of adult crime and juvenile delinquency. Urban living, as contrasted with rural living, has been associated with a greater incidence of crimes against property, assault and battery sex crimes, prostitution, suicide, unlawful use of narcotics, automobile theft, juvenile vandalism and other forms of delinquency."

The growth of urbanisation in Rajasthan is not a seemingly potent factor at present. But it is there, though it is not on an organised or a planned basis. Basically, it is a pattern of isolated individuals moving more or less permanently into psychologically and socially unprepared urban settings. Lucian W. Pye has correctly said, "Whether the people primarily pushed off the land or were attracted to the premises of the city, the result is a sense of rootlessness which provides a seed bed for all manner of anomic movements."¹

The penalty of
Urbanization.

By and large, Rajasthan, or for that matter, any other state cannot escape this problem.

Increase in urbanity and criminality are simultaneous. Population of cities of 100,000 or more accounted for 1.7 per cent of the total world population in 1800; in 1950 it accounted for 13.1 per cent. In India 8.2 per cent of the population in 1941 lived in cities of 20,000 or more; by 1961 the percentage rose to 17.8.

1. *Social Defence Meeting, Geneva, February, 1963.*

Urban population was 77,840,000 in 1961 in India. Thus the increase in cognizable offences by approximately a lakh in a decade is easily explained.

The Government of Japan have reported that the rate of urban crimes is higher than in rural areas (Bangkok Seminar). The Government of India have admitted in an official report to the United Nations that juvenile delinquency was no problem in rural areas. It was confined to the cities. The Uniform Crime Report issued by the Federal Bureau of Investigations in the year 1960 says that city arrests in the U.S.A. were almost three times as high as rural rates.

Extensive studies were carried out in Town, U.S.A. and it was established, that criminal traits were more developed in urban offenders and the greater the intensity of urbanisation, the greater was the incidence of crimes against property.

Since there is a marked difference between the urban and the rural offenders, different institutional treatment will have to be provided for urban and rural convicts. The former need a technical and vocational education and the latter need agricultural bias in jails system.¹

If behaviour pattern is to influence modern jail administration, jails in Rajasthan are not equipped at present to meet the changing situation. We have dealt with this question in our chapter on "Rehabilitation." No proper

Behaviour pattern
& classification.

1. A.W. Peterson—Modern Developments in the Prison System, *Howard Journal* (London) No. 3 1960, 167-176.

treatment or cure of delinquents or criminals is possible if heterogenous groups are put together in jails without any proper classification. But for a Juvenile Reformatory and a Female Reformatory which are actually a part of a district and a Central Jail for male adults, and a so-called Model Jail at Ajmer, there is hardly any classification in the jails in this state. Long termers are kept in District Jails. Those convicted upto one month may be kept in sub-Jails, otherwise all sub-jails consist of undertrials.

The question of classification was first considered by the Indian Jails Conference in 1877 which unanimously favoured the separation of habitual offenders. The Indian Jails Committee of 1919-20 recommended that there should be separate institutions for "habitual" prisoners. This recommendation was largely implemented and originally Central Jails were organised for habituals.

But in Rajasthan, as well as in other States in India, the courts classify a prisoner as "habitual" or "casual" on the basis of the reports from the police. The police reports is based on the nature and number of offences. Thus the legal concept emphasises on crime and not on the criminal.

Classification is a continuous process. Re-classification becomes necessary, when new facts emerge necessitating modification in the treatment programme. What ever may be the number of convictions, stress is laid on the social, psychological and other needs of the individual. Age, mental make-up, style of personal life, all

these factors are analysed. The total problems of the offender, including medical examination, vocational and recreational aptitudes. Thus the plan of treatment is a collective decision.

This requires a reception centre attached to at least to each Central and 'A' class district jails. Each reception centre should have the head of the Local jail, a psychologist, an educational counsellor, a vocational counsellor, a social case worker, a probation officer and a medical officer.

There is no diversification and specialisations in Rajasthan Jails. The advantages, which can be derived from the organisation of reception centres and diverse institutions shall more than off set the increase in expenditure.

The question arises : Is it possible for the Government of Rajasthan to arrange for the necessary finances for starting diversified and specialised institutions and introduce the system of scientific classification ? Do the finance of the State permit any plan for different institutional treatments for the urban and rural prisoners ?

We do not propose to compare the jail budget of Rajasthan with other states in India but even a little comparison with any other big State would show that the expenditure on the jails in this State is of a sizeable amount and if the department is re-organised on the lines proposed by us, it would be able to meet all modern requirements without any tangible increase in the jail budget. The Quote an instance, according to the latest report of prison Depart-

ment of the Government of Madras, for 1950, the total expenditure on jails was Rs. 75,41,039, i.e.; Rs. 247.93 nP. per head. It was Rs. 250.55 nP. in Bihar, Rs. 200.93 nP. in Punjab, Rs. 203.29 nP. in Madhya Pradesh, Rs. 156.91 in Maharashtra and Rs. 139.77 nP. in Uttar Pradesh.

The year 1960-61 opened with a prison population of 4,267, i. e., 2,827 convicts and 1,436 undertrials in Rajasthan. During the year 20,137 prisoners were admitted and 30,067 prisoners were discharged, i. e., a total turnover of 60,000 prisoners, nearly one sixth of Madras. In 1961-62, total admissions were 11,421. The expenditure on jails in 1961-62 was Rs. 36,11,511. The revised Budget estimates for 1962-63 is Rs. 37,51,000. The Budget estimates for 1963-64 are for Rs. 35,68,000.00 only. The table is given below. In Rajasthan Jails per head per day expenditure ranges from Rs. 1.68 nP. to Rs. 2.29 nP. as against Rs. 1.15 nP. in Madras. Evidently there is some thing to be said about the proper allocation of expenditure on jails in this State.

INCOME-RECEIPTS

Budget Estimates (1962-63)	Budget (1963-64)
Rs. 600,000.00	7,07,000.00
(includes Income from jail Manufactures).	

EXPENDITURE

1. Superintendence.

Pay and Allowance	1,37,400.00	1,42,015
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2. Central Jails	4,23,550.00	4,23,356
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District Jails „	7,79,880.00	6,16,765
Lock-ups	7,00,660.00	7,44,025
	<hr/>	<hr/>
	20,41,190.00	19,25,161
	<hr/>	<hr/>
B. F. 20,41,190	19,26,161	
2. Diet. Fuel and clothing of prisoners.	8,94,900	9,15,500
3. Other expenses	3,87,910	2,87,239
4. Industries-Jail Manufactures	4,27,000	4,39,100
	<hr/>	<hr/>
	37,51,000	35,68,000
	<hr/>	<hr/>

Instead of an increase in the Jail budget, it has decreased. The daily expenditure on prisoners is almost double in the lock-ups as compared to Central Jails. In 1962-63, the average per day expenditure per prisoner in Central Jails (Average daily population 1771) was Rs. 1.30 nP., Rs. 1.73 nP., for 'A' class District Jails (1237), Rs. 1.41 nP. for 'B' class District Jails (400) and Rs. 2.29 nP. for sub-Jails (1380). The total monthly salary bill in 1962-63 was approximately Rs. 1,70,099/-.¹

Prison administration.

The total strength of jail staff, including warders and peons is nearly 1770 out of whom 60 are stationed at the Head Office. There are 14 Upper Division Clerks, 21 Lower Division Clerks, six Assistant Jailors on Leave Reserve duty, two Inspectors of Jails, one Stenographer, nine peons, one office Superintendent etc. The office Superintendent enjoys no authority and

1. Report of the Accounts Officer, Jails December, 30, 1963.

therefore the Assistant Inspector General is pinned down to office work. The Director of Jail Industries who happens to be the next senior officer after the Assistant Inspector General has nothing to do with the administrative side of jail work. He is in charge of Jail Industries and agriculture. One Factory Manager and one Assistant Factory Manager is attached to each Central Jail and one Assistant Factory Manager is posted at Bikaner, Kota, Udaipur, Ajmer and Alwar each. The factory at Sri Ganganagar is looked after by the Deputy Superintendent of that Jail. There are no industries at any other Jail. The Agriculture side is looked after by the Local staff.

At the headquarters, there are only four gazetted officers, viz., the Inspector General, the Assistant Inspector General, Asstt. Accounts Officer and Director, Jail Industries (who draws his salary from Central Jails budget). The office Superintendent, who is actually in charge of the whole office, has no gazetted rank. By virtue of his status, the office Superintendent should look after the head office when the Inspector General and the Assistant Inspector General are on tour.

The Assistant Inspector General of Prisons at present rarely goes on inspections. In Rajasthan all jail employees upto the rank of Jailors (including the two Inspectors for lock-ups) are non-gazetted officers. In the neighbouring state of Uttar Pradesh, Jailors (grade Rs. 200-10-EB-250-15-400) are gazetted officers.

It is surprising that the Inspector General of Prisons and Assistant Inspector General of

Prisons share only one stenographer. There is no other stenographer at the Head Office. Naturally the typing work is in arrears. We have seen the working of the office and we feel that the Inspector General and Assistant Inspector General should both have one stenographer each and there should be a stenographer of Hindi attached to the General Office.

We have recommended in the Chapter on Administration that incharges of all types of jails should be given the designation of Superintendent. In Rajasthan, incharges of sub-jails are called at present "In-charges" and incharges of 'B' class District Jails are called "Deputy Superintendent". We recommend that the class of services shall be different but designation shall be the same, i. e., "Superintendent".

There are at present only three stages where direct recruitment is made, i. e., warders, Assistant Jailors and Deputy Superintendents. The warders are recruited from among the candidates sent by Employment Exchange and the selection is made at five centres, Jaipur, Jodhpur Bikaner, Udaipur and Kota Jails. Superintendents make the selection and they feed the requirements of other Jails. Each centre has a defined jurisdiction.

Lastly, the Convict Warders (C.W.) are not paid anything. They get 8 days remission for each month they work in this capacity and seven days remission for each month is given to Convict Orderlies.

There are two Central Jails, one Model Jail, three 'A' Class District Jails, two 'B' class

District Jails, one Reformatory for Juveniles and females each attached to Udaipur and Jaipur Jails respectively and 74 Sub-Jails (14 1st Class, 24 2nd Class and 36 3rd Class). C. and D. Class district Jails have been abolished. The Juvenile Reformatory at Tonk and the Female Reformatory at Ajmer have been closed and shifted to the places mentioned above. Two District Jails have been converted into special sub-jails. There are three open Camps also at Anupgarh, Sanganer and Durgapur respectively.

30,788 males and 640 females were admitted during the year 1962-63 and 30,651 males and 605 females were discharged for all causes. The number of prisoners on 31.3.1963 was 4664 males and 99 females (3219 convicts and 1471 undertrials). The total average daily population in all Jails and sub-jails of the State was 4,881 in 1962,63 as against 4,668 in the previous year. The Model Jail is model in name only. A separate chapter has been devoted to it. It had 26 Star Class prisoners on 31.3.1963. The number has now been considerably reduced as many star class prisoners have been sent to the Open Camp at Anupgarh.

The Juvenile Reformatory at Tonk was previously housed in a well-planned building. It was a good Juvenile Reformatory and its transfer to the premises of a District Jail has been responsible for losing its identity. Similar is the case with the Female Reformatory. The spirit of such Reformatories is totally lost the moment they form part of a regular jail for adults.

The Commission has visited both these places and it does not find any remarkable distinction between a Reformatory and ordinary jail life. The Commission would recommend that both these institutions should be treated as separate institutions and re-organised as reformatory institutions.

As regards facilities to women prisoners, ten replies to our questionnaire opine, that women convicts should be given every possible facility, two have opposed any discrimination on the basis of sex and one reply is in favour of the continuance of the present practice. The suggested facilities are freedom to follow a profession of her own choice, schooling for children at Government expense, maternity home, religious and general education, greater freedom of movement within the prison compound, better cells and greater opportunity to interview the relatives.

There was better response to the next part of the question and all the 22 persons replying to it are unanimous in their opinion that the female prisoners should be given some industrial training. The industries suggested are sewing, embroidery, knitting, painting, weaving including durry and niwar, toy and basket making and other handicrafts. Training in nursing, midwifery, domestic science and *gramkaki* work has also been preferred.

Buildings play a very important role in the reformation and re-education of prisoners. The International Penal and Penitentiary Foundation wrote in its report on "Modern Methods of

Penal Treatment" that the building or adaptation of special establishments for the treatment of certain classes of prisoners is necessary. It suggested special establishments for those suffering from mental disorders on the lines of psychiatric Clinics in Argentina, Belgium, Brazil, Chile, France, Holland, Italy, etc., separate building for General Hospitals as in Belgium, France, Germany, Italy, Norway, U. S. A. etc., and a Sanatoria for T.B. as in Greece, Spain, Germany etc. Regarding architecture and design of the Jail buildings, the All India Jail Manual observes:—

"Most of the prisons in India were constructed about 75 to 100 years ago. In some places old fort buildings and ware houses have been converted into prisons. Some old and dilapidated buildings are still being used as prisons. Owing to Urban expansion, some prisons which were formerly on the outskirts are now right in the midst of the cities. Because of all these factors it becomes very difficult to maintain minimum standards for sanitary services, housing, workshop area, exercise and recreation areas etc. So also the implementation of various educational and training activities gets handicapped. The recurring expenditure on old buildings being extensive, these buildings are not often properly serviced and maintained. The old dilapidated buildings thus not only work as drags on efficiency and requirements of minimum standards but are un-economic from the long range point of view. In the present situation we can hardly think of constructing new

institutions equipped with all facilities and resources."

Building and
Accommodation

Rajasthan State has been formed by integration of 22 Indian States and the Centrally administrated State of Ajmer-Merwara. There were small states like Pratapgarh, Kishangarh, Karauli, Dholpur etc., with an income of only few lakhs rupees per year but they maintained a Central Jail in their State. As such the State of Rajasthan has got as its legacy from the princes big jail buildings. These jail buildings at the capital city of the erstwhile States are very commodious and are lying mostly vacant except for a handful of prisoners who are lodged in a corner of the building. All Central Jails of small states, mentioned above have been converted into sub-jails.

On the other hand there are new developing areas like Baran, Raisinghnagar, Shri Karanpur, Hanumangarh, Gangapur City etc., which are developing into good business centres. Jails buildings in these towns are too small to lodge even undertrials. The out-flow is transferred to the nearest bigger Jail and sent back to stand hearings in their cases. The sub-jails stand in urgent need of expansion and repair. In some cases sanction of the Government has also been received, such as for Baran and Gangapur City.

The Lock-Ups' buildings at Hanumangarh & Sawai Madhopur are at present situated in the heart of the old towns. New towns have also grown in close vicinity of several lock-ups. It is therefore necessary that a new lockup build-

ding should be constructed in such cases, removed from the residential area. Sanction has been received for Sawai Madhopur and a proposal has already been made for a new building for Hanumangarh Junction.

The Factory building at Central Jail, Jaipur is out-moded and is perhaps the worst factory building in Rajasthan and requires complete reconstruction. Some additional factory sheds have been provided here recently but the out-moded work-shop-sheds need replacement at the estimated cost of Rs. 50,000.

Other Jail buildings of the old small states such as Karauli, Dholpur, Banswara etc., can be put to some better use and accommodate bigger offices rather than a handful of prisoners. It is proposed that for such small number of under-trials in these places, new jail buildings may be constructed.

The buildings of 30 lock-ups are in horrible condition. Many important sub-jails like Jaisalmer, Deeg etc., have no separate arrangement for keeping female undertrials. In several sub-jails, no lavatory has been provided and prisoners are taken out for the purpose. In Barmer sub-jails the lavatory and kitchen are side-by-side. At some places the ingenuity of the Assistant Jailor is responsible for keeping the sub-jail tolerably neat and clean, e.g. Dausa and Deeg. There are sub-jails like Pali or Balotra which would beat many bigger jails in management, cleanliness and new outlook. But the majority are as dirty as slums, even unfit for human living.

Many sub-jails can grow vegetables and fruits if they get only a compound wall around their camps. From security point of view several sub-jails are in a dangerous position. In most of the sub-jails there is no arrangement for family quarters for Assistant Jailors. Even in some newly constructed sub-jails, this necessity has been sadly neglected. In almost all jails and sub-jails, warders are living in dormitories, eight persons cramped in accommodation fit for half the number.

The Inspector General of Prisons has submitted a moderate building plan to the Government in October, 1962 costing Rs. 21.36 lakhs. He has phased his plan for five years in the following manner :—



I year	Rs. 5.30 lakhs
II year	Rs. 3.50 lakhs
III year	Rs. 4.10 lakhs
IV year	Rs. 3.62 lakhs
V year	Rs. 4.49 lakhs

While drafting his plan, he kept in view the suggestion of the All India Jail Manual Committee that "Each State should analyse its inmate population in terms of requirements of maximum security of prisons." Such analysis should be the basis for a general policy regarding institutional design and architecture.

In planning and designing buildings and premises the trends mentioned in para 35 of the All India Jail Manual Committee Report have to be kept in view. Our future institutions for non-habitual adolescent or adult offenders may be designed on semi-open or open type

of functional architecture. The buildings in the semi-open or open institutions may be of the *pukka* cottage type. These institutions would not require massive perimeter walls. All these factors would substantially reduce construction costs. Functional architecture of correctional institutions does not necessarily involve huge expenditure. Financial stringency would, therefore, not handicap the functional design and architecture of correctional institutions. We are of the opinion that proper planning, fixation of construction priorities and planned allocation of available funds are urgently needed at present. The All India Jail Manual Committee has recommended :—

(1) The architecture of correctional institutions should be governed by two principles, viz (a) adequate protection to society through the establishment of security conditions and (b) adequate resources which would be necessary for the successful implementation of various correctional programmes. Institutional design and architecture should primarily be on a functional basis. The practicable needs of the programme planned for an institution must serve as the basis for architectural plans.

The Rajasthan Jail Officers Conference held on 17-18 August, 1962 deliberated on the problem of buildings and the Superintendent of Central Jail, Jaipur moved that 50 quarters H Type for warders and 20 quarters G Type for members of the staff of other cadres should be constructed. It was also resolved that lock-up buildings at Baran, Raisinghnagar and Shri

Recommendations
of the Rajasthan
Jails officers
conference.

Karanpur should be extended and a new first class sub-jail building near Hanumangarh Railway Station should be constructed.

The Superintendent, central Jail moved that priority be given to the repairs etc., to the jail buildings by the P. W. D. and the sanctioned works be undertaken which has not been done for over one year. The Superintendent, District Jail, Udaipur was of the opinion that annual repair work of P. W. D. was neither done within time nor they were satisfactory. "If the grant of annual repairs placed in the budget of the jail buildings is transferred to the Jail Department, it will be done quickly and in better way as and when required by the authorities concerned, because jail labour would be employed which would be cheaper also."

There are 13 such places in Rajasthan where no quarters exist for Assistant Jailors while they are entitled to rent-free accommodation. They have to pay rent out of their meagre salary. House rent should be sanctioned to Assistant Jailors whenever such difficulties exist.

Specific Proposals.

We have referred to above the various aspects of prison management. But no specific proposals have been offered. We feel that so far as the planning of future jail buildings is concerned, the sketch plan prepared by the Jail Department is fairly good and meets the requirements recommended by the All India Jail Manual Committee.

But in the existings buildings the followings basic provisions should be made :-

- (1) In modern times conservancy latrines are intolerable. Therefore, all jail latrines should be converted into flush lavatories with septic tanks. Five seats of such lavatories shall cost nearly Rs. 1,200.00 and, therefore, total cost of providing 300 such lavatories, equitably distributed among all jails shall come to nearly Rs. 75,000. The prisoners to be put on such services shall be available for other essential services in the jails.
- (2) All jails and hospitals should have electric fans wherever power is available or hand-drawn fans where no power is available. The indoor hospitals should be made fly-proof.
- (3) Facilities for sleeping in open should be provided wherever it is possible without endangering security measures. But every prisoner should be provided with a hand fan of small size.
- (4) Outside drawn jute curtains should be provided to the barracks in winter.
- (5) Kitchens and lavatories should be kept at a distance. Kitchens should be fly-proof.
- (6) All sub-jails should have a boundary wall.
- (7) Adequate arrangements should be made to provide ventilation and light in each barrack.
- (8) *Kachcha* floors should be made *pucca*, even by providing brick floors.

- (9) Insecure and dilapidated and over crowded buildings should be replaced according to a phased programme drawn by the Inspector General of Prisons, keeping in view the finances of the State.

Some of the buildings which need immediate replacements are the followings:—

1. Jaisalmer
 2. Nimbahera
 3. Deeg
 4. Barmer
 5. Sanchore
 6. Gangapur City
 7. Parbatser
 8. Mandalgarh
 9. Chhabra.
 10. Bayana.
- (10) Immediate repairs should be undertaken to provide the basic amenities of living, e.g., light, air, latrines inside the prison, kitchens, a walking space inside the jail building and a shed for community eating.
- (11) Adequate changes jail buildings for security of the prisoners should be made.
- (12) Better hygienic arrangements for storing and providing water for drinking and cooking. As far as possible, drinking water should be filtered.
- (13) Sleeping berths of standard size should be provided in all barracks, and there

should be a distance of at least two feet between each berth.

- (14) Adequate supply of water and separate place for bathing, washing and toilet should be provided. Each prisoner, convict or undertrial should be allowed indigeneous tooth powder, oil and soap for bathing and washing. The existing provision for the supply of *Sajji* or soap and oil would be sufficient provided it reaches all regularly.
- (15) There should be a library-cum-common room which can serve the purposes of indoor games, prayer room, holiday room etc.
- (16) Atleast one daily newspaper and one weekly newspaper should be supplied to all jails.

We have in another chapter recommended the closing of some sub-jails. This would reduce the cost of construction by Rs. 2,75,000. We have also recommended the up-grading of some sub-jails to District jails. This shall not mean any additional cost for construction.

We propose.

We propose that:—

(1) The recommendations of the All India Jail Manual Committee regarding new buildings should be strictly followed.

(2) Costly new constructions are not required. Only security measures, health of the prisoners, separate enclosure for females, family quarters for Jail staff and warders, a compound wall, adequate arrangements for water supply,

lavatories in the jail compound, kitchen at a distance from lavatories and a separate room for library and amusements attached to each sub-jails or jail is necessary. The factory buildings should be repaired and re-constructed at Jaipur, Bikaner and Udaipur to suit the requirements.

(3) The jail buildings in several places are too big for local needs. They should be handed over to the Government and small, hygienic lock-ups should be constructed.

(4) The programme of repairs and construction submitted by the Inspector General of prisons in October, 1962 is moderate and urgent.

(5) In several states of India Jail itself has a building department. P. W. D. never gives priority to jail work. Therefore it would be worth-while to appoint a Building Office for the jails and a qualified Engineer should be obtained from the P.W.D. for this post.

(6) Many jails suffer from water scarcity. In 18 sub-jails prisoners do not get water for bathing purposes for weeks. It is due to local scarcity. Therefore priority should be given to water supply over renovation in buildings.

(7) There should be no new jail building without providing a compound for the movement of prisoners. New sub-jails of Pali and Balotra type shall serve as ideal plans.

(8) The up-keep of the jail buildings is dependent on P.W.D. Its machinery is so slow and undependable that wherever the Commission visited, there was some complaint about the delay caused by P. W. D. In one sub-jail

electric lines were laid, everything was ready but there was no light because the P. W. D. took more than eight months to supply plug and sockets and bulbs. For the proper maintenance of jail buildings, a separate Jail buildings Department is necessary.

(9) All the recommendations of the Jail Officers Conference, Rajasthan, 1962 regarding buildings should be accepted. House rent should be paid to Assistant Jailors where they are not provided with family quarters. Repairs Budget for works should be handled by Jail Department.

Due to defective or insufficient water supply jail gardens are in a bad way. If water supply is improved, and proper encouragement is offered, production would double. In several jails, no production is possible because there is no compound wall. It is surprising that the cost of jail produced from gardens is not adjusted under revenue, but the products are issued to the prisoners' diet according to the scales. We fail to understand the accounting procedure in this respect. Something is produced and consumed but it is not adjusted in the accounts, Rajasthan is the only State where we have come across this system. We recommend that the jail produces should be adjusted towards revenue. In 1962, the value of total jail garden products was approximately Rs. 41,000 as against Rs. 30,000 in 1956. The Jail Gardens have also been discussed in detail in the Chapter on Agriculture.

Jail Gardens.

Important and useful recommendations and suggestions have been offered by the Jail Officers Conference, Rajasthan, held on 17th and 18th August 1962. Many of their recommendations have been admitted by the Commission and shall find place in the relevant chapters. In the chapter on Administration, the Commission has recommended allowance for incharges of sub-jails. Merger of ministerial staff into executive staff, mess allowance to warders and Head warders, inclusion of warders and Dyers in Class III subordinate service, revised pay scale to Assistant Jailors—all such demands stand approved by the Commission. Jail Uniforms are necessary for discipline and administration. We find that only warders, head warders and Assistant Jailors are provided with uniforms. The Uniforms of warders are not smart. They need amunition boots with socks and houses and woolen caps. The Inspectors, Jailors, Deputy Jailors and Assistant Jailors should also be in proper uniform on duty. Rs. 45/-per annum should be paid to them for uniform. No uniform allowance should be paid to Deputy Superintendents or Superintendents but they should be in uniforms on all ceremonial occasions.

The demand of Jail officials for protection guards like Police is also reasonable.

Most of the 22 persons who suggested alternative names for prison favoured "SUDHAR GRIH" or one of the other variation of it with an unmistakable suggestion of change. The various names suggested are : (1) *Sudhar Grih*, (2) *Prayashchitt Grah* (3) *Karma Grih* (4) *Nagrik*

Surksha Grih (5) Adtal Grih (6) Bandi Kala Kendra (7) Home for socially un adjusted (8) Home for Corrections (9) Reformatory (10) Apradh Sudhar Grih (11) Apradhi Sudhar Grih (12) Correctional School for abnormal human beings (13) Correct onal School (14) Apradhi Chikitsalaya (15) Abhiyukt Sudhar Kendra (16) Bandi Sudhar Grih (17) Prayas hchitalaya (18) Reformation Centre (19) Reformative Centre and (20) Sudhar Mandir. One person said that no change was required in the nomenclature while another argued what's in a name ?

A jail is a most difficult institutions. It reflects conglomeration of evils from which society is suffering. The modern man has lost his roots. Therefore, a jail was to be like a hospital where all the available knowledge of social sciences has to be applied in the treatment of the prisoner, within their limited means. The Jails in Rajasthan are trying to play their role. But they lack trained and technical personnel. They need so many things which we shall explain in the following chapters. They need an ideology, which we have laid down in the first Chapter. They need a good name and after considering over all aspects we recommend that the institutions should be called "*Sudhar Grih*", the place for "Social re-insertion" of the mal-adjusted. The prisoners should not be called "*Qaidi*". They should be called *Sathi*.

There are certain policy matters connected with jail administration over which we have offered no opinion. For instance Capital Punishment. There was only one execution in the State in 1962-63 and 4 in 1963-64. The rope is

very sparingly used in Rajasthan 38 witnesses gave their evidence before the Commission on this issue and they were equally divided in favour of or against it. only one witness wanted it to remain in the statute book as threat but not to be awarded in practice.

Evidence.

Inspite of our best endeavours, not more than 74 evidences could be recorded by the Commission. Not one member of the Legislature replied to our questionnaire. Most of the public institutions, a large number of Government (especially Police, Judiciary and Education Department) ignored our requests and 70 percent of the prison staff also remained silent.

However, whatever evidences could be collected in writing or oral, have been summarised at relevant places. From the trend of replies it was evident that the idea of associating police more closely with Jails by allowing them to visit jails was not favoured. The majority of witnesses were not in favour of closer association of magistracy either with Jail administration. All witnesses advocated introduction of a psychological approach in all the jails.

Seventeen persons replied to the question whether jail industries were helpful in rehabilitation. They all agreed that it helped though some doubted the extent to which such industries could help. Among the industries favoured to be taught in the prisons are furniture making, plastic work soap making, *bidi* making, cane, bamboo, and wood work, painting, pottery, hosiery, tailoring, blacksmithy, carpentry, binding, shoemaking, weaving and technical works

like cycle, motor and radio repairing, welding, electric fitting, etc. It was also emphasised that a majority of the convicts came from the villages and as such industries with an urban-bias could not help much in their case; they should be taught improved farm practices to make them good agriculturists and be familiarised with poultry and dairy farming to fruitfully occupy their off-season leisure. Installation of Government owned industries like power looms in jails have also been suggested.

Out of 20 persons who answered the question whether jail industries should be run on commercial lines, an over-whelming majority of 18 has said "yes" and only two "no". But not all of the above eighteen persons favoured prison industries to be regarded as commercial undertaking in as much as only eleven replied to this part of the question, seven in support and four against one of whom suggested that they should run on no profit-no loss basis. Twenty-five persons replied to the part of the question relating to the payment of wages and as many as twenty three persons agreed that wages should be paid. Two opposed the payment of wages. The majority was, however, silent about the rate at which wages should be paid; only ten persons ventured opinion in this regard, nine favouring normal wages and one less than normal. To the next part of the question whether the prisoners should pay for their maintenance out of the wages thus earned, 19 persons replied, 15 of whom favoured the idea and four disfavoured of those in favour of the prisoners paying their maintenance expe-

noses, two felt that they should be charged only for board, a third pleaded for a maximum charge of 50 nP. per day, a fourth wanted the charge to be minimum possible while one witness favoured that only "Prisoners with two or more years" sentence should be charged and a bank should operate in jails where in the prisoners could deposit their earnings.

Some other suggestions which have been offered are that (i) batches of well behaved prisoners should tour certain areas of the country under proper guidance and control performing social service 'en route' to impress upon the public mind the innate goodness of human nature. This 'Social Service Campaign', according to the author of the idea shall prepare the necessary climate for their smooth rehabilitation on release (ii) a social behaviour investigating agency should be established to study the efforts ex-prisoners make for their own rehabilitation and the society's reaction to their efforts, and (iii) institution of recognised diploma courses for industrial training in jails.

Employment of
Ex-prisoners

We shall now close this chapter after quoting a good move of the Government of Rajasthan in permitting employment to ex-prisoners in public services vide Notification No. F. 1 (4) Appts/ (A-11)-60 June, 18, 1961.

Several discharged convicts approached the Commission for jobs. It appears that the said order of the Government is not properly publicized and the Employment Exchanges are not giving proper attention to the same. We would recommend that proper publicity and considera-

tion should be given to the said Government order.

SUMMARY OF RECOMMENDATIONS

1. With the economic developements and growth in urban population of Rajasthan, the pattern of crime is bound to change in the State and there shall be a simultaneous increase in crimes.

2. The bias of treatment for urban and rural prisoners shall have to be different technical, and vocational for the former and agricultural and allied vocational education for the later.

3. Instead of an increase in jail budget, it has decreased. It has to be just the reverse.

4. The Assistant Inspector General of Prisons rarely moves out. He should move more frequently and the office Superintendent should look after his work during his absence.

5. At least two English and one Hindi Stenographers are recommended for the Head office.

6. All in-charges of jails, of all classes should be designated as "Superintendent" which is the legal title given in the Jail Manual,

7. The Juvenile and Female Reformatories should be organised in different institutions, not attached with any jail and both should be re-organised.

8. To maintain jail buildings properly, there should be a Buildings Department for the Jail under a qualified Engineer. At present Jail build-

dings are suffering due to lack of interest and delay caused by P.W.D.

9. The construction of new buildings should be on the lines suggested by the All India Jail Manual Committee.

10. Water supply, hygienic requirements lavatories inside the compound, kitchens situated at a distance from lavatories, security walls and family quarters for the staff and warders should be given primary consideration. Each Jail or sub-jail should have a separate enclosure for female prisoners. Each jail or sub-jail should have a compound for the movement of prisoners.

11. The programme prepared by the Inspector General for the repairs and construction of new buildings has been examined and found good. In five years the total cost would be Rs. 16 lakhs or near about.

12. Jail buildings which are too big for use as lock ups should be handed over to the Government for other purposes and the Jail Department shall gain financially by this transfer because it can justify its expenditure on the construction of smaller lock-ups. Specific recommendations regarding jail buildings have been made in this chapter.

13. Where no family quarters are provided to Assistant Jailors, they should be given house rent.

14. The budget for repairs should be placed at the disposal of jail department.

15. Production from Jail gardens should be encouraged and their valuation should be adjusted towards revenue account.

16. The uniform of warders should be changed. It should be more soldier like i. e., better boots, hoses, cap etc.

17. The Assistant Jailors, Deputy Jailors, Jailors and Inspectors should get Rs. 45/- per annum as uniform allowance and they should be always in uniform on duty. The Dupty Superintendent and Superintendent should not get any allowance. An intitial grant of Rs. 200/- should be given for uniforms to the non-gazetted officers and Rs. 500/- to the Gazetted Officers. (This recommendation was added at a later date and not included in the main body of the chapter).

18. Rajasthan Jails should have a qualified Engineer as Building Officer to look after jail buildings.

19. The demand of protection guards to officers of the jail Department is reasonable.

20. Jails should be called *Sudhar Grih* and inmates should be called "*Saathi*".

21. Psychologists and Psychiatrists should be associated with prison administration.

22. The Government order permitting employment in Public Services to discharged prisoners should be given due publicity and acted upon by the various departments of the Government, of Rajasthan.

CHAPTER III

MODEL JAIL

Model Jail Ajmer

In December 1956 after the merger of the erstwhile State of Ajmer in Rajasthan, the Central Jail Ajmer was converted into a Model Jail. But sufficient number of prisoners were not sent to the Model Jail due to the limitation imposed by the definition of "Star Class Prisoners", which has now been partly overcome by the issue of an order in November, 1963, by the Inspector General of Prisons, Rajasthan. The population of this jail has been further deputed due to the opening of Anupgarh Open Camp.

Rules and regulations for this Jail have not yet been finalised. A set of rules has been drawn up by the Inspector General of Prisons, which are generally in keeping with the modern trends in the treatment of prisoners. But some reorientation is necessary.

In the rules Barracks have been re-named as "Bhawans" but Bhawan means a palace. In all jails, barracks should better be called 'Kaksh.' The Model Jail should be called "Adarsh Sudhar Griha". Substitution of diet by dry or green fruits on religious grounds is now permitted. Relatives can also send cooked food. Stripe on prison clothing has been removed, chappals are supplied and washing material for clothes is provided regularly. Twenty five naya Paisa is paid

per day as wages. One third of this amount can be spent in jail canteen by the prisoner. Labour hours have been increased to 48 from 36. Co-operative farming and Panchayats are being introduced.

The ultimate responsibility of the Selection of "Star" class prisoners is that of the Superintendent of the Jail, who has to follow instructions issued by the Inspector General of Prisons. Magistrates also can recommend such admissions. They should be encouraged to do so as they are in a better position to know the circumstances under which the crime was committed (Rajasthan Jail Manual, Part XV-36). Model Jail is more or less like a free society and the transfer of a prisoner to a Model Jail depends upon his preparedness to lead a healthy life in the society. The amenability of a prisoner to a scheme of correction is not related to the number of heinous offences committed by him but his mental susceptibility to it. The number of offences committed by a person cannot thus be the guiding criteria for classifications. Any prisoner, who is deserving and well behaved, should be recommended by a Superintendent for the Model Jail.

Selection of Star
Class Prisoners.

At present the following four conditions for eligibility are displayed at the Model Jail, Ajmer:—

- (1) Not more than 45 years nor less than 21 years of age.
- (2) In good health, free from disease and disability.
- (3) Well behaved; and

(4) Suitable in every way for the Model Jail.

Classification
board in Model
Jail, Ajmer.

There is a Classification Board supposed to be functioning in the Jail consisting of (a) Superintendent (b) House Master (c) Medical Officer (d) School master (e) Custodial Officer and (f) Work master. In practice such a Board does not exist. In the Chapter on Rehabilitation we have recommended the adoption of a two-tier Classification system, or should be adopted at this Jail also.

Case history.

As per rules, case history of each inmate should be prepared immediately on his admission with the help of the copy of the judgement, police report or the report of *Sarpanch*, facts given by the prisoner and observations by Jail Officers. At present the Prison Welfare Officer, who has his office in the local Social Welfare Department, prepares such case histories for those prisoners who are on a term of more than one year. He keeps the case file to himself. The Superintendent is ignorant of such case histories. The Commission recommends that the case histories may be prepared on the approved scientific method and kept in the office of the Jail Superintendent.

There should be a comprehensive programme of training, consisting of moral education, social education, adult literacy, body building and vocational training. Something is being done in this direction at Ajmer and religious discourses are given every week. Twenty to thirty selected prisoners are also sent to participate in Republic Day, Independence Day, Gandhi Jayanti and other celebrations. Out of 1093

books in the library 187 were issued in the first six months of 1963 as against 97 during the same period in the previous year. In the same period 55 inmates were obtaining literary education. all aspects of existing situations at Model Jail, Ajmer, are taken into consideration, the position may not be regarded satisfactory. On the evening of 15th Jan., 1964, the actual population was 176. Over and above this population three prisoners belonging to this Jail were working at the Tabiji Agriculture Farm and 13 at Anupgarh Open Camp. There were only seven Star Class prisoners and 26 under-trials including one female adult and three juveniles. Apart from the convicts and under-trials, there were four lunatics and three civil prisoners. Among the convicts 98 had been sentenced to imprisonment for one year or below, 57 for one to five years, 16 for five to ten years and 22 for over ten years.

The scheme of work at the Jail is still governed by the Ajmer Jail Manual, which was in force before the merger. Wages are not related to the programme of production but are paid out of the general budget for running the Jail. Wage scheme should be uniform in all the Jails of the State as recommended in the Chapter on Industries.

Industries in
Model Jail.

In 1957-58, all convict workers, irrespective of task considerations were paid wages at the rate of 25 n.p. per day. Thus 31,610 convicts (man-days) were paid Rs. 7907.75 n. P. In 1958-59, the same wage was paid to only those workers who completed their daily schedule of work.

In 1959-60, Rs. 2861.00 n.p. was paid to 11,444 workers. From 1st April, 1962 to 31st March, 1963 30,395 convicts produced articles valued at Rs. 49,711. Between 1st April, 1963 to 31st October, 1963, prisoners worked for 15,711 man days and 11,255 gave full task. In 1962-63 out of 30,395 man days worked, only 19,222 gave full task and earned Rs. 2769 as wages. From 1st Jan., 1963 to 31st July, 1963 the number of prisoners who benefitted by wage scheme was 8414 who earned Rs. 2103.50 nP.

The latest position regarding the jail industry in the Model Jail shall be clearly understood by the statement given below :-

	1962	1963
Total prisoners liable to work	62591	75474 includes old and in-firms.
Total prisoners sent to factory	21902	18442
Total sale of jail products.	11493	54938
Total production in the factory	48933	63996
Production per prisoner per day in factory	2.32	3.47
Vegetable produced in the jail garden.	99 Quintal	203 Quintal.
Vegetable purchased from the market.	3462	Nil.
Vegetable sold to market	Nil	152,00

Fodder produced in the
jail garden. 124 Quintal 298. Quintal

Fire-wood obtained
from the garden Nil . 96.00

Wages paid to prisoners 2968.25 6792.50

The following industries have been introduced at the Jail:—

1. Gardening and Agriculture.
2. Durrie Weaving.
3. Tailoring.
4. Carpentry and cane work.
5. Niwar and cloth weaving.
6. Brassware industry.
7. Mustard oil industry.

The Superintendent proposes to introduce vicker chairs (Mudda) and Chick making to suit the local requirements and also to train prisoners in applying a cottage industry. As regards wages and industries, the subject has been dealt with in the Chapter on Industries, in which payment of full wages has been suggested, subject to the condition that a prisoner is not awarded more than one third of his sentence as remission. The following awards are made at present at the Model Jail from time to time.

1. 15 days for the 1st year.
2. 15 days for the second year.
3. 60 days for the third year.
4. 6 days in the month to ordinary convict.
5. 7 days in the month to C.N.W. (Convict

Remissions.

Night Watchmen), as against 6 days in a month to ordinary prisoner.

6. 10 days in the month to C. O. (Convict Overseer).
7. 8 days in the month to C.W. (Convict Warder).
8. 1 day extra to those who work on sun-days.
9. 1 day extra to the convict Overseer, who works on walls.
10. 15 days to those, who volunteer for blood donation.
11. 6 days extra per month for three months to those, who are on blood donors' list. If a prisoner withdraws his name before donating his blood, the remission granted for the offer and for remaining on the list shall be forfeited.
12. 15 days, when he actually donates his blood.
13. 30 days a year for progress in education.

We are of the view that no special remission should be awarded to the inmates of a Model Jail. We have expressed our opinion on this at the end of this chapter. At present a literate ordinary prisoner can earn 306 days of remission in three years.

Canteen-

The Jail has a Canteen. It has been functioning for several years. This was being run by an outside contractor. Recently it has been taken over by the Jail Department. The Jail has a *Panchayat*, which, has also been geared up now. It was not functioning properly. The canteen

should be run by the *Panchayat* and Panchayat should be organised as recommended by the Commission in the Chapter on Panchayats and Cooperative Societies in Jails (Chapter IX).

In the preceding pages a presentation of the Model Jail, Ajmer as it is and as it ought to be, has been given. But that does not necessarily give the ideology and philosophy of a model prison as we envisage it. The concept of a model jail was developed originally in this country as a step towards providing to prisoners a relaxed atmosphere, in which specially selected prisoners, with long sentences, could be prepared for ultimate rehabilitation in society. With the development of Open Camps, Model Jails have lost much of their special usefulness in this direction. Yet in the entire system of jails, there is need for having at least one institution, where systematic treatment and training may be organised and imparted to all those considered to be in the need of the same. This is especially so when due to financial considerations we are not in a position to extend the requisite facilities at all institutions as practically all institutions are expected to serve as maids of all work, receiving all types of prisoners.

Concept and Utility of a Model Jail.

There is yet another purpose, which an institution of this nature might serve. The treatment methods, developed at this institution may be emulated by other institutions and prisoners trained at this institution may help the programme at other institutions. Therefore, the Commission is of the view that a Model Jail is necessary.

Thus we propose that admission to such an institution should not depend upon the nature of offence but on the recommendations of the Classification Boards or those of the Reception Centre as proposed by us. A Psychiatrist, if available, a Psychologist and a Welfare Officer should be attached to the Classification Board at the Model Jail. This Board should chalk out a programme for each individual prisoner, and evaluate the progress made by him every three months for determining the future line of treatment.

We have referred to the case-history of inmates of the Model Jail. This should contain *inter alia* the (1) Social history (which may be obtained from the Probation Officer of the district to which the prisoner belongs), (2) copy of the judgement of the final court, (3) medical history, (4) Observation results and (5) remarks of the Superintendent of the institution to which the prisoner belonged previously and the present remarks. Such a case history helps a good deal in planning of the rehabilitation of the prisoner.

So far as vocational training is concerned the Model Jail should have systematic course. It may have two year's course for the present. One providing for a year's training in trades and crafts and another lasting two years, comparable to artisans courses. A planned programme in this connection may be drawn up in consultation with the Industries Department of the State. We have to suggest here that such a training should be on the line of Industrial Training Institute courses. The purpose of

training is that the trained should be able to meet the requirements of his employer in the free market. If employment potential is not taken into consideration, the purpose of training shall be ineffective.

We want to make it clear that a Model Jail, should not be a place for providing unusual amenities and facilities to the prisoners. Remissions and other facilities should be no more and no less than existing in other jails. Facilities to be provided should be related to the functional needs of the training programme at the jail. It would be better to treat a Model Jail as a training ground only, and those, who are trained, should be transferred to other jails to train other prisoners in vocations etc.

For such a model Jail, it would be desirable to have an entirely separate building, but if the finance of the State at present do not permit this, it is suggested that the wing used for undertrials at the Ajmer Jail should function separately.

The present building of Model Jail, Ajmer needs attention. Improvement in flooring, particularly in the kitchen, flush latrines, with septic tanks and fans in the hospital, are needed.

SUMMARY OF THE RECOMMENDATIONS

1. In modern corrections, it is necessary to have a few fully equipped and well organised closed prisons, which might function as the training centres for prisoners. The prisoners may be so trained at those centres as to be

duly equipped to earn a satisfactory living in skilled trades and industries after release. Such prisoners may after training be transferred to other jails, when they may prove an asset to jail industries and help other prisoners to improved techniques.

2. A Model Jail, as it was understood a few years ago, has ceased to be of such importance, due to the institution of Open Camps but its necessity and utility as an ideal training-cum-rehabilitation centre remains and is positively required.

3. Nature of crime or sentence should be no bar to admission to the Model Jail. Instead, admission should depend on the decision of the classification Board of each jail and reception centres of Central Jails.

4. A powerful and purposeful classification board is needed for this jail, to which a psychiatrist, if available, a psychologist and a Welfare Officer should be attached. Every prisoner should have a plan and programme for treatment, training and rehabilitation.

5. Case histories of each prisoner should be prepared on scientific lines.

6. Vocational training should be on systematic lines with standards comparable to those existing in training institutions outside the prison and in trades having proper employment potential.

7. Superintendent of the institution should have the necessary authority for varying the programme of the institute, according to the

needs of training and providing extra amenities within the over all cost on maintenance authorised for prisoners, in all jails. Extra amenities if any, should be relatable to the training needs of the institution.

8. Special attention should be paid to the development of social, cultural, educational and panchayat activities.

9. Improvements in hospital, kitchen and lavatory buildings are called for.

10. Specially qualified staff is needed for this institution.

11. Whenever the finances of the State permit, there should be an entirely separate building for the Model Jail.

12. Remissions and facilities in a Model Jail should be no more and no less as available to prisoners in other jails. Wage shall be paid at the same rate and for the same amount of work as applicable to prisoners engaged in jail industries.

CHAPTER IV

FEMALE REFORMATORY

Introductory.

The problem of crime has engaged the attention of the best intellects in this and other countries. Its manifestations are many and they take different forms in different people. The woman criminal is no different from her counterpart, the male criminal. She is motivated by the same fears, inhibitions and jealousies, which warp the human mind, but in Rajasthan the rate of crime among women is certainly low.

Women prisoners
in Rajasthan.

This State has only one female enclosure in the Central Jail, Jaipur for female prisoners, which is called Reformatory. It is the only correctional institution in the State for women, and was shifted from Ajmer in May, 1962. There are 46 women offenders at present in the Reformatory (forty-four serving rigorous, one simple imprisonment, and one under trial). Under-trials and convicts, serving sentences upto one month, are kept in Jails and sub-jails throughout Rajasthan, and their number, according to the office of the Inspector General of prisons, is less than one hundred. The long-termers, however, are all lodged in the female annexe at Jaipur. Of the 45 convicts, 32 had been convicted of murder, which accounts for approximately 71 per cent of the total crime detected. They are mostly young women-67 per cent being in 18-35 age group.

Criminality amongst women has three outstanding features, viz., low incidence, high rate of murders, and comparatively young age of convicts. In the absence of any original work of contrary import, the actual causes of low criminality among women must be put down to the cultural back-ground, resulting in a stable and balanced mind. Their ability to suffer in silence, deep-rooted religious outlook (which makes them God fearing), high sense of honour and the good name of the family, love of husband and children, are the most important contributory factors. Woman is still the establishing force in a family, and her role invests her with a sense of responsibility. The old tradition of self-immolation (*Sati*) has made her stoic to a degree towards her sufferings.

Criminality among women some striking features.

As murder constitutes nearly 71 per cent of the crime among woman convicts at present detained in the Reformatory, it would not be out of place to consider the probable causes of the same. Social customs prevalent till recently, sanctioning the big harems of *Maharajas*, the large number of concubines and *baandies* of *Thakurs* and their equivalents, and the general custom of bigamy polygamy create a back-ground of jealousies and intrigues. Similarly, the practice of infanticide in some communities produces a disregard for human life and blunts the finer feelings of the human mind.

Factors contributing to high incidence of murder.

There are a variety of reasons, which lead to criminal behaviour in women. Many of them are sentenced for murder but the main motive behind murder, according to the history sheets

of the convicts, was jealousy, which was manifest in a majority of the cases (25). Profit motive featured in five cases, while freedom from social stigma led to commission of infanticide in two.

Incidence of criminality among women.

On the basis of statistics made available by the Jail Department, it can be stated that the number of convicted women has been continuously low, and there has been no indication of its rise during the last five years as indicated by the following tabular statements :—

Total admission in Rajasthan Jails and Sub-Jails.

Year	1958	1959	1960	1961	1962
Convicted Prisoners					
Male	10,862	9,335	10,968	10,799	12,730
Female	186	130	193	171	251
No. of females per 100 male convicts.	1.7	1.4	1.8	1.6	1.9

The same is the case with the habituals: Out of 1,224 habituals; there were only 4 women during 1962-63 as indicated by the following table :

Number of Habituals, 1962-63

Institutions	Habituals		Once previously convicted.		Twice previously convicted.		More than twice previously convicted	
	Male	Female	Male	Female	Male	Female	Male	Female
Jails	443	—	314	—	96	—	33	—
Sub-Jails	167	2	115	1	21	—	31	1
Total :	610	2	429	1	117	—	64	1

It is thus obvious that crime among women does not pose a major problem in the State at present, but there is no guarantee that it will remain so in the future. The rapidly rising population, prospects of industrialisation, migration of rural population to urban areas, changing social structure giving more freedom of movement and action to women and better crime detection machinery are some of the factors that might produce adverse effects in future. But those that behind the bars at present, deserve our best attention and help. The preventive measures for the potential offenders must also be kept in view.

There is a great shortage of accommodation in the Reformatory. Only two wards are available out of which one is used for work during the day. Inside the female enclosure there is no open space worth the name. Only narrow strips of open areas are available between the prison walls and the inner buildings. Human beings, living in the closed prisons, must have a sense of physical freedom. As recommended in the Model Prison Manual (Chapter IV, page 13), "there should be enough open space inside the perimeter walls to allow proper ventilation and sunlight. The area enclosed, within the four walls of a prison, should not be less than 75 square yards per head, of total capacity. Where land is available, the minimum should be 100 square yards per head, of total capacity." It would be ideal to have a Female Reformatory at a separate place, with a Lady Superintendent Incharge and an adequate and efficient staff to

Accommodation.

help her. However, if due to financial and administrative difficulties, that is not possible at present-though this should be our ultimate aim-the next best step, under the circumstances, would be to add Enclosure No. 8 to the female annexur, with a Deputy Superintendent in effective charge of the same. It may be mentioned, however, that if and when number of inmates increase to 100 or more a separate Female Reformatory would become absolutely indispensable. Enclosure No. 8 is situated adjacent to the Female Reformatory, and there is only a wall dividing the two. This wall should be removed and necessary alterations and additions should be made to make it suitable for the purpose in view. Necessary adjustment would, no doubt, have to be made to house the male prisoners, who are at present occupying Enclosure No. 8 but in the broader interest of the prison population as a whole and the female prisoners in particular, this step is absolutely essential and urgent. Habitual offenders, prostitutes, procuresses and sex offenders should be kept apart as young women offenders should be protected from their demoralising influences. It may be worthwhile stressing the fact that even though women murderers are guilty of a most heinous crime, the motive very often is the sense of breaking (on the part of murdered) the moral code held sacred by the murderer. Therefore, those, who regard sex as something to trade with and whose moral code is debased to that extent, should be kept apart from other prisoners. Under-trials too should be kept separately.

It is important that every female enclosure is completely segregated, so much so that no male enters a female enclosure, without being accompanied by female attendants.

The child of today is the citizen of tomorrow. Although the children in the Female Reformatory live with their unfortunate mothers they are prospective citizens of free India. Their future lives would be moulded during these first few years, for from birth to 6 years are the most crucial years of life. Now it is increasingly realised that we should work towards the establishment of programmes of work and projects, which would meet the needs of the normal as well as the handicapped child. In the present day society there is a definite ideal to be achieved in the field of child care. It is felt that a number of acts, essential for the proper growth and development of the child in its early years, must be provided for all children. Home is the child's first castle and the presence of both of the parents and their love is most essential. Experience of such a home life, with its capacity for giving protection, affection, adequate and proper nourishment, care during sickness and opportunities for growth, play and healthy recreation is every child's birth right.

Children.

As the child in the Female Reformatory is deprived of its natural surroundings and home, we have to compensate for it by giving extra care, adequate nourishment, education and opportunities for recreation. The expert eye of the medical officer and that of the educationist should watch over their physical, mental

and emotional growth. As affectionate and trained teacher's care should see to the formation of proper habits, development of its social senses, imagination and skills during their early years. A separate room, decorated with suitable pictures and posters in pleasant colours should be set apart for the school (*Bal Wadi*). Montessori or other modified type of equipment should be provided as teaching aids. A small park with play equipment such as slide, swing, see-saw, merry-go-round etc. should be provided within the compound of the enclosure. It should have small lawn, colourful flowers and some small trees, where the children can really feel happy and forget the atmosphere of the jail. The service of one suitably trained teacher is required for this purpose. Facilities should be provided to the teacher to take these children out periodically. In fact, once a week would not be too frequent, but beginning could be made with monthly excursions. Previous arrangements should be made for these outings with other *Balwadies* and pre-primary schools, where these little ones can meet and play with other children of the same age group. Suitable picture books should form part of the *Balwadi* equipment. Children should have more and better clothing and suitable toys. Milk and fruits should be provided to them daily, and sweets occasionally. Vitamins are essential for their proper growth. In fact, if these future citizens of the country are to be saved from the pernicious tendency to become criminals, it will pay the society to spend more care and even money at this stage over their growth and education

than what is spent on the normal children, who are not exposed to the prison atmosphere.

In view of the fact that the number of children is very small-at present there are nine-only-not much expense would be involved in providing the above mentioned facilities. Financial implications have, therefore, not been separately worked out.

Education implies development of human faculties, both mental and physical. It builds character, gives direction to thought and moulds human behaviour. It should prepare the inmates to find their proper place in society after their release. It should also help the prisoner to get an insight into the problems and conditions conducive to crime and their disastrous consequences. But this should be done with sympathy and objectivity in order to help the inmate to reorient her attitude towards herself and to society, and to improve her social conduct. Education should be organised at two levels-(i) initial (ii) and advanced. It is estimated that thirty-two out of forty-five inmates can be selected for comparatively advanced studies. Eleven of them appeared for "*Pravesh*" Examination conducted by Bombay Vidyapith last September and all of them have passed, two securing a first division and two a second.

Education.

It is strongly recommended that the 'Condensed Course', sponsored by the Central Social Welfare Board, through the State Social Welfare Advisory Board, should be introduced in the Female Reformatory. It is a two year course and prepares the candidate for the Middle

Examination of the State Education Department. It would qualify the deserving inmates to go in for useful vocations like those of auxiliary nurse midwife etc., which would be a great step forward in their rehabilitation and acceptance by the society. Details should be worked out with the State Social Welfare Advisory Board, which would be willing to help. Necessary educational equipment should be provided. Details regarding their further training after passing the 'Condensed Course' would have to be considered and worked out on an individual basis by a competent authority.

Special attention should be paid to teaching the inmates useful subjects like home science, principles of hygiene, social education, mothercraft, prenatal and postnatal care, etc. The library should be enriched, and books of educational value added to make more useful.

Technical and
Vocational
Training.

Technical and vocational training form an important component of the correctional treatment. It should enable the prisoner to earn her living after her release and thus make her economically independent. Vocational adjustment becomes an important aspect of the rehabilitative process. It also helps to improve social habits and work skills, create an active interest in the normal working of society, and develop a sense of self-confidence in the prisoner.

The predominantly prevalent use of *Ambar Charkhs* and opening of yarn have proved to be of little rehabilitative value. The following trades, arts of crafts are suggested in this regard:—

1. Tailoring (both cutting and sewing)
2. Knitting and Crochet work
3. Hosiery making
4. Papier-Mache toy making and toys of other kinds from rags and pieces of cloth (soft toys)
5. Glass bead Industry
6. Paper flower making
7. Embroidery
8. *Niwar* weaving
9. Home decorating
10. Basket making
11. Soap making
12. Cane and bamboo work
13. Chalk sticks
14. Lamp shade making
15. Painting and Drawing
16. Local handicraft
17. Flower gardening, and
18. Kitchen gardening.

Wage system should be introduced (See Chapter On Industry).

Cultural programmes and recreational activities aim at breaking the boredom of prison regimentation and creating an atmosphere of joy among the inmates. These activities can be made a medium of imparting training in group adjustment and good social relationships. Recreational and cultural programmes need trained leadership, proper supervision and

Cultural Activities.

guidance, and maximum facilities such as equipment, play ground etc. The following few suggestions are given in this regard:-

1. Films dealing with social and religious theme and having educational value should be shown.
2. Radio should form a good medium for religious and recreational music and instructive talks.
3. Community and folk dance should be encouraged.
4. Dramatic activities may be introduced.
5. Community singing of religious national and patriotic songs should be done daily or frequently.
6. Recitation of *Kotha* from religious books should be provided.
7. Indoor games like Draughts and Carrum should be provided.
8. Outdoor games like Badminton, decquoits should be provided.
9. Physical culture activities should be introduced.

Reading.

Inmates should be given facilities for reading books, newspapers and periodicals. Reading to each other would improve pronunciation and help them in other ways.

Sports Meets.

Sports and games should be organised periodically. Inmates recreational committee may be organised. This committee can assist in planning and organising cultural and recreational

programmes and celebrations on national holidays and festivals.

For the Reformatory to run well, it is absolutely essential that it should have an adequate, efficient and well-trained staff. New recruits should be given orientation courses along with initial basic training and those already in service but who have had no opportunity for initial basic training should be given refresher or special courses. Staff.

The existing staff may be adequate for the limited activities carried on at present, but for the above recommendation to be implemented, it would become imperative to increase the staff.

A lady Deputy Superintendent, in the usual salary grade, should be incharge of the Reformatory under the general direction, supervision and control of the Superintendent. A Lady Welfare Officer should be attached to the Reformatory. The services of a part-time lady doctor are essential. A specially trained-education officer and properly oriented and trained teachers are necessary.

At the time of new recruitment and during service good moral character and respectability of the staff should be ensured.

Moreover, there should be at least one female attendant in every jail. Whenever a female prisoner is sent to a Sub-Jail, arrangements for providing a female attendant should be obligatory. As a matter of fact, female prisoners should be invariably escorted and attended to by female warders.

As the duties of the Female Staff are complex, exacting and arduous, their welfare measures should be given special considerations. Revision of their pay scales has been dealt with in the chapter on Administration. Quarters for the Lady Deputy Superintendent (when appointed), care taker, nurse etc. should be provided on the premises. Other facilities such as free education of the children and free medical aid to all the members of the staff and their minor children should be given. Warders should be given two sarrees and two blouses per year instead of once in two years.

Visitors,

There should be at least one Lady visitor attached to every jail.

Medical aid.

As services of a lady doctor at present are only available at the Zenana Hospital, adequate and prompt transportation facilities are absolutely essential. When a woman offender is certified by a lady doctor to be pregnant, the particulars regarding the period of pregnancy and probable date of delivery should be recorded. The pre-natal examinations should be made at frequent intervals and any abnormality should be treated at once. Delivery should be arranged at the civil hospital and adequate arrangements for post-natal case should be made after the mother and child are shifted back to the Reformatory. Clothing of the inmates should be increased and improved. Four white sarrees, 4 blouses and 4 brass, and two towels should be given per year instead of the present practice of supplying two sets only, which hardly suffice to keep them clean.

The following articles should be added to the expectant and nursing mother's regular diets:—

Milk	oz.
Sugar	2 oz.
Vegetables	4 oz.
Curd	2 oz.
Total calories	3195
Proteins	88.9 Gms.
Fat	46.4 Gms.
Carbohydrate	621.4 Gms.

(See Model Jail Manual Chapter XXXIV Diet No. 4 Page 237) All Gynaecological diseases should be properly treated.

It is hardly necessary to add that personal Sanitary equipment should be provided to female prisoners.

Panchayats should be organised separately for women offenders on the lines recommended for the whole prison population. The idea of cooperative management, with a view of giving increasing responsibility to deserving convicts, is worth trying. A canteen should be organised on cooperative basis.

Panchayat.

It is encouraging that recently the probation services have been extended to the women offenders. Three offenders have been placed on probation so far (for one year each) at Kota, Jaipur and sirohi. All are staying at their homes with their relatives. Probation should be extended to more and more woman offenders with

Probation

due precautions and control. In view of the social prejudice against the male staff, in general, working in the field of services meant for women it is strongly recommended that the services of lady probation officers should be provided for women offenders without delay.

Remission.

Unlike their male counterparts the deserving woman prisoners do not have opportunities of working in the open and semi-open camps and therefore, are deprived for the privilege of earning remission every other day during the working period in the open institutions. Some compensation may, however, be made by giving them special remission on the grounds of all round good conduct, accomplishment in any particular vocational work, services rendered to fellow prisoners, while working in the prison hospital, efficiency and devotion to duty of women convict officers, resourcefulness during emergency, achievements in the field of education and any other ground that might be considered adequate.

There are at present in the Female Reformatory two women prisoners convicted of infanticide of their new born infants. Both of them are under-going sentences of twenty years rigorous imprisonment each. These prisoners have by their conduct and behaviour in the jail proved that they are in all respects normal and even the motive for the crime was normal in as much as their intention was to conceal from the public eye the results of their extra-marital intimacy, which the society considered wrong.

In other words the motive has been social, though the resultant act has been similar to a

murder. If the motives are to weigh, the women cannot be said basically to be pathological in their make up and are, therefore, likely to behave normally, if returned to their families. We cannot change the law as it is outside the purview of this commission, although in this instance the law requires a change, however, we would be justified in recommending premature release in such cases, commensurate with the basic purpose of the punishment. The sentence has brought forcefully to the consciousness of these concerned that society regards the act committed as against the interest of its well-being and therefore, has committed the person to prison for a long term to stay there. But in view of the motive for such offenders viz. to try to protect the good name of her family and of her own and in view of the convicts subsequent behaviour in the prison, indicating the normalcy of her mental, moral and emotional make up, she should be returned to her home, once she has stayed in the jail long enough to prove she is otherwise normal.

The Commission is of the view that cases of female prisoners convicted of infanticide should be immediately referred to the Government for placement in a training institution for women.

As the present rules regarding release on parole cause great difficulties and have made the working of the system wellnigh impossible, even for male prisoner, (see chapter on Rehabilitation) it is, therefore, recommended that Commission's suggestion in these respects should apply to women prisoners also.

Leave & emergency release.

As the day of release and the following period is the most critical time in the life of an offender, the after care services should be based on approach of help, guidance and protection. It should be a constructive vigilance over the post release period. It should help her to find a place in the society and should act as a bridge, which could take the women from the restricted environment of institutional custody, from doubts and difficulties, hesitation and handicaps to satisfactory citizenship and resettlement in the free community. It should also help the individual to overcome her mental, social and economic difficulties and make smooth adjustments to her new surroundings. Non official organisation like the Discharged Prisoners' Aid Society should help the needy. The necessity of providing such an organisation for the guidance and aid of the released prisoners is now recognised the world over. The Rajasthan Crime Prevention Society has been recently formed under the Chairmanship of the Home Minister and it is hoped that it would do good work in the field of rehabilitation.

No statistics are available regarding discharged woman prisoners. The same should be collected through the good offices of Social Welfare Department. However, it is presumed that most of the discharged woman prisoners went back to their homes. Those, who had no relatives were sent to the After Care Home, Ajmer when the Reformatory was at Ajmer. After the Reformatory was shifted to Jaipur, 26 woman prisoners were released, 24 returned

home and two were admitted to the Rescue Home between May and December 1962. The two that were sent to Rescue Home have been suitably rehabilitated since. During the current year, 63 cases were released and all of them have gone back to their respective homes.

In view of the great prejudice prevalent in society against a "fallen" woman there is a great need of following these cases and knowing more about their social acceptance, social adjustments, economic status and family life. It is justifiably feared that some interested people might have taken undue advantage of the woman's helpless conditions and compelled her either to lead an immoral life or misled her in other ways. Every care should be taken to confirm the bonafides of the relatives, before sending Ex-woman offenders with them. The follow up work may be done by the Prison Welfare Officers with the cooperation and help of other concerned department and people. It is recommended that all woman offenders, who have no home to go to, may be sent to Rescue Home, in Jaipur or other related institutions.

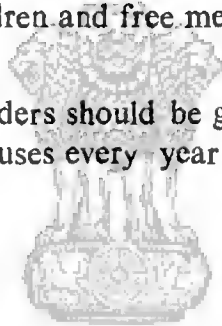
Women have a great responsibility in this respect. Voluntary Women's organisations can do a great deal in finding employment and helping these women in making readjustments in their homes. Financial aid should be given where needed. But what is most needed is change of heart and change of society's attitude towards these unfortunate women. Those, who have time, convenience, and resources, should offer their services for improving the lot of these unfortunate sisters and their children.

SUMMARY OF THE RECOMMENDATIONS

1. The Female Reformatory should be lodged in a separate building, far removed from a male prison, if the finances of the State permit. It will be absolutely necessary when the number of inmates increases to 100 or more.
2. If Female Reformatory is to remain a part of the Central Jail, Jaipur, it should be not only completely segregated and no male be allowed to enter it without being accompanied by a female, but it should have a separate Lady Deputy Superintendent, in the usual salary grade recommended by the Commission.
3. There is a great shortage of accommodation in the Reformatory. At least 75 square yards of space per head of total capacity is necessary. Proper ventilation and sunlight should be provided.
4. The wall adjoining the enclosure No. 8 should be removed and necessary alterations carried in the building to make it suitable for the Reformatory.
5. 71 per cent of the present woman convicts are sentenced for murder. Those guilty of sex crimes and sex murders should be segregated from other prisoners.
6. Proper medical attendance, education, amusement, nursery training, *balwadi* outfit etc. should be provided to the children of woman prisoners.

7. Suitable arrangements for literacy and vocational training of female prisoners should be made. They should be encouraged to appear in the examinations carried out by recognised institutions; "Condensed Courses" run by State Social Welfare Advisory Board should be introduced and training in nurse-mid-wife should be given.
8. The plan for technical and vocational training as laid down in the chapter should be implemented.
9. Cultural activities like music, drama and some indoor and outdoor games have been suggested.
10. Proper medical aid, special help and treatment during pregnancy and delivery and post-natal care should be provided.
11. Four white *sarees*, *four blouses*, four bras and two towels per prisoner should be given each year.
12. *Panchayat*; Probation, Parole, facility for admission in the Rescue Home and Shelter Home should be provided.
13. Special remissions, remissions for accomplishments in vocational work should be allowed and if possible, a semi-open camp should also be organised for woman prisoners.
14. A follow-up service by Prison Welfare Officer for the so-called fallen women is very necessary.
15. One lady visitor should be attached to each jail and sub-jail.

16. Female attendants should be provided, even on temporary basis, to those jails or sub-jails, where female prisoners, even one, are lodged.
17. Specially trained staff, educated and vocational teachers should manage the female reformatory.
18. The duties of the Female Staff being exacting and arduous, special consideration for their welfare should be given. Residential accommodation for them should be provided on the premises and facilities of free education to their children and free medical aid should be given.
19. Female Warders should be given two *sarees* and two blouses every year instead of once in two years.



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CHAPTER V

JUVENILE REFORMATORY

The juvenile delinquent became the focus of a separate treatment other than that meted out to the adult offender since the deliberations of the Indian Jails Committee 1919-20. Sir Alexander Cardew and his associates laid a great emphasis on probation and a separate treatment for juvenile offenders which is evident from separate Chapters and appendices in the aforesaid report. Prior to this the juvenile offender in India was generally afforded the same treatment as was given to his elder and senior brethren in crime.

1919-2
Committee

The situation in the West was more or less identical. To quote from the Departmental Committee on the Treatment of Young Offenders, 1927, in England.

Situation in the
U. S. A. and U. K.

"As far back as the 10th Century Athelstane enacted that man should slay none younger than a fifteen winters' man; and provided that, if his kindred will not take him, nor be surety for him, then swear he as the Bishop shall teach him, that he will shun all evil, or let him be in bondage for his price. And if after that he steal, let man slay or hang him as they did to his elders."

This makes it clear that the juvenile was given the same treatment as the adult offender

yet the thinking that he should be provided some religious or moral influence to reform himself was found in the thinking of the sovereign of those good old days. In the Year Books of Edward I it was enacted that judgement for burglary be spared in the case of a boy of twelve years. But in actual practice the principle of a separate treatment for juvenile offenders was not observed generally in England as is clear from the fact that in 1844 there were as many as 11,348 prisoners between the ages of 10 and 20 years in the prisons of the then United Kingdom.

In the United States, the Law of Connecticut, published in 1673, laid down; "If any child or children above 16 years old, and of sufficient understanding, shall curse or smite their natural father or mother, he or they shall be put to death, unless it can be sufficiently testified that the parents have been very unchristianly negligent in the education of such children, or so provoked them by extreme or cruel correction that they have been forced there unto to preserve themselves from death or maiming." It appears that this law was based on the ancient masaic injunctions which laid down that "the parents shall say to the elders of their city that son of ours who was of sufficient understanding being about 16 years of age was stubborn and rebellious. He would not obey their voice or he was drunkard. On this accusation from the parents all the men of the city would stone the young person to death." The Law of Connecticut of the 17th Century provided that children above 14 years shall be punished by death for

offences such as rape, murder, false evidence, arson, adultery and manstealing.

An inkling into the early Centuries of the United States and United Kingdom indicates that Crime was considered to be an anti-social act which was committed due to natural depravity inherent in a person whether adult or a child who should be adequately punished to have these tendencies curbed.

It was after the Positive School of Criminology and Penology and with the rise of the Modern Clinical School in the West that differential treatment for juveniles and adolescent offenders was propounded. This new ideology has bestowed upon the developed countries and is now bestowing upon the developing countries new social institutions and practices for the correction, reformation and rehabilitation of the juvenile and adolescent offenders. The probation system, parole, indeterminate sentence, child guidance clinics, correctional colonies, juvenile courts, after care institutions, Borstal and reformatories are the result of this new ideology.

Positive School of
Criminology

In India the Reformatory Schools Act of 1897 marked a mile-stone in paving the way for the future advance in the direction of a separate treatment for juvenile offenders.

Juvenile delinquency is a growing problem throughout the country. 81,811 children were admitted in jails in the 12 States of India (excluding Rajasthan) in 1959 and 74,598 in 1960. Out of these, children below 16 were 5,993 males and 118 females in 1960 as against 6,749 and 234 in 1959.

A Children's Act would be a step in the right direction to deal with the increasing problem of child delinquency. The Rajasthan Children's Bill is awaiting the sanction of the legislature.

In Rajasthan, as well as in several States in India, no scientific planning has been done for the reformation or reclamation of the juvenile delinquents. Little has been done for those children who are in predelinquent stage, or who have not yet come under the grips of law and who can still be saved. To add to the urgency of the problem, illiteracy remains as vital a problem as before. At the end of the Second Plan, the percentage of school going children in the age group of 6-11 was 37.4, which will be 55.7 at the end of the Third Plan period as against the revised target of 60.4 percent.¹

Juveniles are confined in a semi-separate ward in the district and central jails. There used to be a separate Juvenile Reformatory at Tonk in a spacious and good building for Convicted Juveniles but during Chinese aggression, the Government of India took possession of the same (it is still lying unoccupied) and inmates were shifted over-night to a separate wing in Udaipur district jail. The following table shall indicate the position of juveniles in this reformatory:—

Juvenile
Reformatory at
Udaipur

1. Governor's Address to Rajasthan Legislative Assembly, February 21, 1964.

Number of Juvenile Convicts

Year	At the commence- ment of the Year			Admitted during the year		
	Below 16 years.	16 to 18 years.	18-21 years.	Below 16 years.	16 to 18 years.	18 to 21 years.
1958-59	6	26	41	16	57	120
1959-60	2	9	25	22	83	125
1960-61	8	33	34	16	59	59
1961-62	6	27	13	18	78	137+10
					Undertials	
1962-63	5	25	29	9	42+7	101+7
					Undertrials	
Total	27	120	142	81	326	576

From the above it is clear that the total turn-over of the juvenile delinquents in the Reformatory has been 1272 and the largest number is of those between 16 to 21, i. e. 902.

During the last five years out of the total juvenile population in the Reformatory, juveniles belonging to criminal tribes numbered only 20, 4 christians, 19 sikhs, 146 muslims and the remaining were hindus. The crime-wise figures are as following:—

1. Murder	15
2. Dacoity	25
3. Robbery	2
4. Theft	243
5. Hurt	91
6. Vagrancy	150
7. Rape	15
8. Kidnapping	29
9. Unnatural offences	5

The remaining should be classified as "other crimes". Only 85 boys were sick during this period and there was no mortality. The number of juveniles made literate during this period after admission was 730, according to the figures supplied by the office of the Inspector General of Prisons. In 1963, 129 convicts and 27 under-trials, i.e., 156 were admitted in Udaipur Reformatory. But living accomodation available was for only 72. This needs immediate attention of the Government.

Industrial training is imparted in this Reformatory in (1) Carpentry (2) Tailoring (3) Blacksmithy (4) Recanning of Chairs (5) Band (Music).

No wages are paid to the inmates.

The Reformatory is not an institution for undertrials or for first offenders who should be otherwise dealt with according to the provisions of the Criminal Procedure Code. The act covers only such juvenile offenders whose criminal tendencies are hardened and who have no family or other controls over them.

The Reformatory School is basically a residential training and educational institution and in many instances these were or even are under the control of Education Department. The U. P. Reformatory School was formerly a part of the Education Department and Hazaribagh Reformatory School is still a part of the Education Department even today.

It is the acceptance of the new philosophy of reform, education and rehabilitation in corre-

ctional programmes that the Reformatory schools have been accepted as a part and parcel of the prison administration. Even the adult correctional institutions are becoming reformatories as a result of the influence of reformatory ideology. In other terms the roots of reformatory ideology have been owned and accepted by the new adherents, viz., the Prison Department.

The situation of the Juvenile Reformatory, Udaipur is not a happy one as the juveniles should be kept separate and free from the influence of adult criminals. In a district jail where all sorts of criminals come and go as undertrials, the association of juveniles with such recidivist and dangerous criminals is not desirable. The authorities of the District Jail have divided loyalties and as such cannot pay full attention to the demands of Reformatory School.

Divided Loyalty

According to the existing arrangements, the Superintendent of the District Jail and the Reformatory School is the same. The Jailor and the industrial staff is separate. The Commission is strongly of the view that such a situation is far from satisfactory. The entire staff of the Reformatory School should be under the control of a Superintendent who should be a whole-time officer of the Reformatory school and should have no link with the District Jail.

A Reformatory School is only for convicts below the age of 16 years and the undertrials should not be admitted. It is a corrective and re-educative institution and its programme is of academic, vocational and personality education. Short term convicts and under-trials cannot

No Undertrials

profit from the programme of the institution; instead, they cause an obstruction in the normal functioning of the school. The turn over should not be too much and the minimum period of stay in a Reformatory School should be 3 years because during this period a person can find a change in himself. Effort and money spent on short term inmates is a waste.

It is highly desirable to lay down criteria for admission of inmates to Reformatory School. A very important criterion is that only those offenders should be admitted who are habitual offenders and also are beyond the control of their families, either because their parental families are absent, or are broken, or are ineffective.

Two Wings The Juvenile Reformatory should have two wings—one to keep the boys upto the age of 18 and the other wing to keep boys from 18 to 21. No one sentenced to a term of imprisonment for one month or less, if sent to the prison for custody should be sent to the Reformatory.

Provision No. VIII of 1897, Rule 8, should apply to this Reformatory, as far as possible, which lays down that "Whenever any youthful offender is sentenced to transportation or imprisonment and is, in the judgement of the Court by which he is sentenced, a proper person to be an inmate of a Reformatory School, the Court may subject to any rules made by the State Government, direct that, instead of undergoing his sentence, he shall be sent to such a school, and be detained there for a period which shall be not less than three or more than seven years.

Rules made by the State Government regarding the definition of Youthful offenders and the period of stay should apply to the Reformatory. Those juveniles who have to stay for less than three years in the Jail, should also be kept in the Reformatory, in a separate wing to give them the advantages of a specialised treatment.

There should be an Advisory Body for this Reformatory consisting of the District Magistrate as Chairman, the Chief Medical and Health Officer, Director of Social Welfare Department or his nominee, Superintendent of the Reformatory and a Lady non-official and two other non-officials members nominated by the District Magistrate.

Advisory Body

For the management of the Juvenile Reformatory, there should be a Superintendent, designated as "*Abhibhawak*". An *Abhibhawak* should be at least a Graduate in Social Work with grounding in Psychology and should have undergone special training in the correctional work of juveniles. Inspector General of Prisons should be the Controlling Officer. A Medical Officer should also be attached to the Juvenile Reformatory.

The Advisory Board should meet once a month on the date fixed by the *Abhibhawak*. The quorum for the meeting of the Committee should be three of which at least one should be a non-official member. Without unduly interfering with the authority of the *Abhibhawak* the members of the Board should be expected to take a general interest in the progress and training programmes. The Board and the members

individually should make periodical visits to the Reformatory to see the work given to the inmates and make such suggestions for the consideration of the *Abhibhawak* as they consider suitable. Three months before the date of expiry of the term of non-official members, the *Abhibhawak* should inform the Inspector General of Prisons, who should report to the Rajasthan Government the names of the members and the date of expiry of their term and ask for the nomination of new members. The *Abhibhawak* should place before the Board the Annual Report of the Reformatory and forward it for the consideration of the Inspector General of Prisons with such observation as the Board may like to make on the Year's work.

Juvenile Girls.

The Superintendents of the Jails in Rajasthan and the Officers Incharge of the sub-Jails in Rajasthan should transfer the Juveniles sentenced to imprisonment for more than a month to the Juvenile Reformatory. Juvenile convicts, whose term of imprisonment is less than one month should not be transferred to the Juvenile Reformatory. If the number of girl juveniles is more than 12, a separate wing for the juvenile females may be opened attached to the Female Reformatory. Even if the number is less than 12, individual training should be given to them in the Female Reformatory itself.

Juvenile convicts, who are eligible for transfer to Juvenile Reformatory should be transferred immediately without waiting for the result of appeal and without reference to the Inspector General of Prisons.

In the Reformatory, each juvenile convict should be carefully studied and the treatment given to him and his daily activities should be adapted to the particular needs of each individual convict and the aim of prison treatment should be to give the young offenders, whose minds and character are yet elastic; such training, as is likely to create in them a high standard of social behaviour.

Instruction in reading and writing Hindi as well as Arithmetic should be compulsory. Each convict should be taught a craft or trade for which he possessed necessary aptitude and which he is likely to follow after release in order to secure an honest livelihood. Physical drill, gymnastic, indoor and out-door games and training in scouting should be provided for all convicts.

Instructions.

On first admission of every juvenile convict into Reformatory a friendly letter should be sent to his parents or near relative by the *Abhibhawak* intimating them of the inmate's admission and inviting suggestions and co-operation for the Welfare of the boy. The parents and the near relatives of the convicts should be allowed to visit them once a month and to correspond with them in writing once a fortnight. Parents or near relatives should in every case receive notice of serious illness and intimation should be sent to them in good time before a convict is released from the Reformatory.

If no relative or friend of a Juvenile convict attends the jail to receive him on the day of release, the *Abhibhawak* should make arrange-

ments if he considers necessary, to have him escorted to his home. In case of no home, the juvenile should be sent to a Shelter Home or After-care home. A detailed report, one month before the release of the boys, should be sent to the Social Welfare Department, requesting them to arrange for their rehabilitation.

The Medical
Officer.

The Medical Officer attached to the Juvenile Reformatory should give his careful attention not only to the treatment of the sick but to every matter connected with the inmates and the hygiene of the Reformatory. The Medical Officer should examine every new inmate on the day of his arrival at the Reformatory and should record all the details in the proper register prescribed for this purpose. Every inmate in the Reformatory should be medically checked up every month and his report should be entered in the History Ticket. The caloric value of the diet for the inmates of the Juvenile Reformatory should be the same as for adults, but with such variations as are necessary to keep a juvenile in the best of health.

Selection of
inmates.

Discretion should be exercised in the selection of inmates to the Reformatory School. At the time of admission it is also desirable to have an assessment of personality and social background of each new entrant. With this profile a programme for correction, education training and rehabilitation of each inmate can be planned. Reformatory confinement is basically a group-treatment approach but within group individualization is of paramount importance. For the purpose, it is suggested that a team consisting

of a Welfare Officer (Trained Social Worker) a guidance Psychologist, a physician and psychiatrist (if available) should be constituted. Welfare Officer should be full-time person and the other personnel can be part-time. When a new child enters a Reformatory School his case record should be prepared by the Welfare Officer. The guidance psychologist will give intelligence and personality tests and for this purpose adequate equipment should be provided. It is also desirable that every new entrant should be kept separate for a few days and a Reception Centre having a barrack for new inmates, an interview room, a psychological laboratory and a conference room should be set up.

Residential space per inmate should be 8' x-8' = 64 sq. ft. Adequate open space for group activities, recreation etc. should also be available. Each association barrack should not be for more than 20 boys and boys should be classified according to age groups. Electric light should be provided in barracks and outside and also sanitary equipment should be modernized.

Residential space

In a Reformatory School normally children between 7 to 18 years of age are admitted. This is the period of their schooling. It is highly desirable to have a full fledged High School in the Reformatory School. May be we do not get an adequate number of pupils for each class, but it is always to be noted that a Reformatory School is a specialized institution and the inmates need special care and attention. They need greater amount of individualized education and large sized classes cannot be recommended.

Reformatory School

No class should have more than 20 pupils and there should be tutorial instructions for them under the supervision of a single teacher. He should be their tutor, teacher, guardian and guide, at least for one year. He should coach them and prepare them for examination of the year. The prevalent system of subject teachers will not be very fruitful but for certain specialized subjects as Science, Drawing, etc., the subject teachers can take one or two classes a day. The class teachers should reside in the Reformatory School and should provide guidance to their wards after class hours too. Regular teaching should not be for more than four hours a day. The standard of education and examination should be as prescribed by the State Education Department. The school should be a recognized institution by the State Education Department and their inspectors should visit the school periodically to maintain its common character with other educational institutions in the state. The teachers should be graduate-trained-teachers and of comparatively mature age. They should be selected from the educational institutions. In their selection attention should be paid to their sense of duty and love for children. To attract good teachers they should be paid extra-allowance. They should be called on deputation for three to five years and every year not more than 20 per cent teachers should change in the school. The teacher student ratio should not be more than 1 : 20 in any case.

Industrial training has a two fold function:—

- (a) To give an opportunity to children to express their creativity in a physical form, and (b) to

train children for a future occupation in life. The first function is what we can call educational function. Each craft or vocation selected in a Reformatory has to have both the functions.

Carpentry, tailoring, blacksmithy, *Ambar-Charkha*, cane-work are the existant industrial training programmes. Both their educative and rehabilitative values need to be assessed. Even these industries need to be modernized. The traditional tools and equipment need to be supplemented with modern equipment so as to increase the skill and efficiency of those learning. In addition some other new industries can be started as weaving, designing, printing, dyeing, cycle parts, manufacture, toy-making, fancy leather goods manufacturing, machine shop, plastic goods making, automobile engineering etc. The best position will be to set up one of the industrial training-cum-production centres as a part of the Reformatory and in addition to the inmates of the Reformatory, other children should also be admitted to the training centre. The hostel for the non-delinquents should be separate and the training arrangements should be common. Hazaribagh Reformatory School is an example in this context.

Each child above the age of 14 years should be encouraged to spend about half of his time in industrial training. They should be given option to opt for occupations of their own choice but final decision should rest with the Superintendent of the school, who should keep in mind, in addition to the choice of the child; each child's social, caste and vocational back-ground

and status, the aptitude of the child and the rehabilitative potential of the vocation selected.

Recreation.

Recreational activities, group games, sports, athletics, drama, music etc. should be encouraged to provide them recreation and also to give them an outlet for relaxing their pent-up feelings. A group worker should be provided in the institution. P.T., Scouting, and N.C.C. should also be encouraged. These shall discipline them. Though P.T. and Scouting are organized yet these programmes need to be strengthened, each child should be included and his association should be for fairly long period. One of the school teachers should be responsible for scouting and another should be responsible for P.T. and N.C.C. A hall should be available where plays, music programmes, meetings and other community functions should be arranged. It should be properly equipped. Also there should be a radio, a record player and other musical instruments, for the children to organise their programmes and for day to day recreation. There should, also be a hobby centre where equipment and facilities for hobbies like card board modelling, clay work, painting, leather work etc. should be freely available to all children.

A Little Community.

The reformatory school, in fact, should be a little community, with all its inmates as co-equal members. It should be a miniature community reflecting the values, ideals, practices, the patterns of relationship and the social structure of the outside world. It is an accepted fact that this shall be a controlled and authoritarian

setting, however, attempts should be made to keep the area of voluntary functioning as broad as possible.

The delinquent child is a victim of the unhealthy environmental conditions and the main object of the reformatory school placement is to train him in an atmosphere we deem fit and adequate for upbringing of a child and an adolescent. Also the atmosphere is to be corrective and reformative.

There should be a *panchayat* of all the inmates and internal discipline, management and supervision of members, sanitation, recreational activities and cultural activities, should be within its purview. The staff should take up the role of consultants and promoters and the planning and execution of programmes should be left to "*Panches*"

Panchayat-

Kitchen should be managed by the inmates themselves. Only one cook to give them expert help and to supervise cooking should be there.

The daily routine of a reformatory school should be quite comprehensive. Six hours per day should be spent on education and industrial training. The time should be divided more or less half and half but for children of lower age lesser time should be spent on industrial training.

Daily Routine..

The following programme with variations in time according to seasons is recommended:-

- 5.30 A. M. — Rising up bell
- 5.30 to 6.00 A. M. — Personal Hygiene and ablutions.

6.00 to 6.30 A. M.	—	Dormitory & Environmental Cleanliness.
6.30 to 7.30 A. M.	—	P. T.
7.30 to 8.30 A. M.	—	Bath and Dress up
8.30 to 9.00 A. M.	—	Breakfast
9.00 to 12.00 Noon	—	Education/Training
12.00 to 1.00 P. M.	—	Mid-day Meal
1.00 to 4.00 P. M.	—	Education/Training
4.00 to 5.00 P. M.	—	Rest
5.00 to 6.30 P. M.	—	Games/Hobbies
6.30 to 7.00 P. M.	—	Evening Meals
7.00 to 8.30 P. M.	—	Self Study
8.30 P. M.	—	Lights Off.

The timings should be carefully observed and habit of punctuality and regularity should be emphasized. This shall also help in building up inner controls.

Social Case Work Services are a necessity in reformatory school where inmates face adjustment, emotional and behavioural problems. Institutional approach is a group approach but it does not mean that no individualization is needed.

Rehabilitation.

Reform without rehabilitation is fruitless and rehabilitation without reform is baseless. Rehabilitation is the acid test of reform measures. Rehabilitation is not something extra-to the institutional care programme, but, instead, is the integral component of the institutional programme.

Rehabilitation requires a careful planning of the release of the offender. The inmate is to be

secured a proper place in his home, society and work-place. For this a variety of activities need to be organized. Before a convict is released, his kith and kin should be approached, and if found out, should be encouraged and assisted to come and meet the client. Arrangements should be made in his own family for care and placement. A job should be fixed up for him before his release, and pending the time he is able to find a permanent occupational and family placement, accommodation should be arranged in an aftercare hostel. Employment Exchange should be approached to arrange for a suitable employment for persons released from a reformatory. The community has a negative attitude towards the ex-inmates and inmates of a correctional or penal institution. There is a great need to mobilise confidence and favour employers and society at large in favour of offenders released from a reformatory.

District Child Welfare Councils, District Crime Prevention Societies and other associations interested to take up responsibility in this field should be mobilized and brought nearer to achieve the goals of the correctional programme. The Rajasthan Government has provided After-care Homes and Certified Schools for their rehabilitation. Only such juveniles are sent to these institutions who desire to avail the opportunity of these Homes. Besides institutional care, Probation Officers and Prison Welfare Officers have also been provided.

Medical and health facilities are necessary. There should be a full-fledged medical section

Medical Facility.

in the charge of a full time medical officer. It should have about 10 beds and should have facilities for treatment of ordinary cases of physical disorders. Looking to the present strength of the Reformatory School, present four bed medical ward is adequate.

Wages.

The basic objective of industrial training is not production for profit, either for the institution or for the inmates, but the purpose is to train them to work for earning or living in future. It is, therefore, essential that their work and training should be productive and remunerative. The 'acid test' of efficiency of training is, in fact, that a person after completing his training should be able to make his living out of his earnings.

Separate budget.

A separate budget for reformatory school classified under different heads—salaries of staff, board and lodging, general education, industrial training, etc., is necessary. The funds should be utilised according to allocations.

We find that a good number of reforms suggested above have been introduced at the Reformatory at Udaipur. But they lack those basic concepts and requirements which would make the programme scientific and purposeful. A reformatory programme cannot be piecemeal. It should be comprehensive.

SUMMARY OF RECOMMENDATIONS

1. Reformatory School is basically a residential training and educational institution. They are a part and partial of the prison

administration. It is not an institution for undertrials or short-term convicts.

2. Juvenile Reformatory, Udaipur should not be a part of the District Jail because it means divided loyalties for the officers there. The entire staff of the reformatory should be at least separate, if it is not located in a separate place.

3. A Reformatory School is actually only for convicts below the age of 16 years. The minimum period of stay should be three years. However, this Reformatory should have two wings, one for boys upto the age of 18 and the other for 18-21 age group.

4. Provision No. VIII of 1897, Rule 8 should apply to this Reformatory.

5. Those juveniles who have to stay for less than three years, should be kept in a separate wing.

6. The Superintendent of the Reformatory should be designated as "*Abhibhawak*" and there should be an Advisory Body consisting of officials and non-officials.

7. If the number of the juvenile girls is 12, a separate wing for girls may be opened in the Female Reformatory.

8. Contact between the inmates and their parents should be encouraged.

9. The caloric value of the diet for juveniles should be adequate to keep a juvenile in best health.

10. Reformatory confinement is basically a group-treatment approach.

11. The scheme of education, industrial training, reception centre, health examination etc. is given in the chapter.

12. Adequate recreational facilities should be provided.

13. Wages should be paid to efficient trainees.

14. There should be a separate budget for reformatory school classified under different heads.

15. A Time-Table for daily routine has been given in the Chapter.



सत्यमेव जयते

CHAPTER IV

OPEN CAMPS

It is recognised Widely in modern penal science that Open Camps play a very important role in the rehabilitation of prisoners. In India Open Camps are assuming increasing importance in institutional treatment. The States of Uttar Pradesh, Bihar, Andhra Pradesh, Maharashtra have all organised such camps. Himachal Pradesh has also an Open Camp at Bilaspur.

Open Camps as organised in Uttar Pradesh from time to time had certain special features. Some of these were unique experiments in correctional methods. Sampurnanand Camp at Seraiya near Sarnath in the district of Varanasi, was set up in the heart of a thickly populated residential area. Jail labour participated in the construction of a bridge along with free labour, which included nearly 300 women. The resident population had no trouble from the long-term convicts. No theft or no sex offence was reported. The fear entertained by some penologists who advised that open camps should be situated away from towns and villages to save the local population from the vagrancies of criminals was proved to be unfounded. Equally bold is the venture of Rajasthan Government in opening the Sampurnanand Shivir at Sanganer, only two furlongs from the heart of the town.

Dr. Sampurnanand, the then Home Minister of Uttar Pradesh, was directly responsible for the organisation of some of the biggest Open Camps in the world with no barbed wire and visible watch and ward arrangements. The first of such camps was established in October, 1952, on the left banks of river Chandraprabha (Varanasi District) for the construction of a dam. It engaged more than 2,000 convicts, long termers and short termers alike. The second camp was set up on the banks of river Karmnasa which did a total earth work of 131 lakh cubic feet. The third project was to dig a thirteen mile long subsidiary canal. The fourth was the construction of Nanaksagar Dam. The fifth was for constructing a bridge over river Varuna, at Saraiya. The sixth was Markundi Camp near Churk Cement Factory—a U. P. Government project for quarrying lime stone for the factory. Encouraged by its success, a semi-permanent camp was opened at Ghurma, in the same district, for quarrying stone for the same factory. It started functioning on March 15, 1956 with 150 prisoners. Now its strength has increased to 1,700 and till the end of 1961, it had received 7212 prisoners. The seventh and the first from the point of view of its importance in rural India is the Sitarganj Camp. It is known as Sampurnanand Agricultural-cum-Industrial Camp, started in March, 1960. 6,000 acres of land was acquired for the same in district Nainital and 3,000 acres of land has already been brought under cultivation and 900 prisoners are engaged there. In the very first year of its establishment, it

In a recent order, dated the 21st May, 1963 (No. GNL-JPR/741/718-84-) the Inspector General of Prisons has ordered that in selecting the prisoners, their family connections and back-ground should be taken into consideration. Preference should be given to casuals and rural convicts. Convicts under section 302 may be allowed provided they have shown good conduct in the jail. Those guilty of moral depravity or convicted under the following sections are debarred from admission to Open Camps:—

- (a) Section 121-130 (offences against the State).
- (b) Section 131-140 (offences relating to Army, Navy and Air Force)
- (c) Section 224-225 (Escapees)
- (d) Section 390-402 (Robbery, Decoity etc.)
- (e) Habituals, unsound mind, non-Indian nationals, without fixed abode, juveniles; females and those convicted under Exercise or Food Adulteration Acts.
- (f) Section 107.

This formidable list of disqualification does not suit modern corrections. To debar a habitual is to close the chapter of reformation in his life. To consider that offences under a particular section cripple moral conscience for good and leave no scope for rehabilitation is to admit defeat in the method of reformation. The Commission has examined the disqualifications applied in various countries and in its opinion the existing list of disqualifications is opposed to the concept of open camps.

Crime-No-Criteria

The Commission feels that as a matter of principle, nature of crime should be no bar for admission to Open Camps. However, in view of the law and order requirements of the State exceptions could be made.

The system of selection of inmates for the camps is also defective in Rajasthan. The usual practice is that the Superintendent of the Jail in whose area a camp exists, picks up men of his choice for the camp. He is guided by the criteria of selection given above. This criteria has no psychological basis. It also deprives other jails from taking advantage of the scheme.

Two-tier system.

We recommend a two-tier system of selection. There should be a Classification Committee at the District and Central Jails consisting of the Superintendent, the Medical Officer, Local Welfare Officer, or Probation Officer, one of the non-official visitors and a representative of the District Crime Prevention Society, if it exists. Names recommended by this Committee should go to Inspector General Prisons, who may take the advice of a screening Committee comprising of himself the Deputy Inspector General of Prisons, and the Superintendent of the Camp.

Separate Camp for Short-termers

It would be better to have a separate camp for short-termers. In Open Camps, as a rule, well-behaved convict who have served not less than one-fourth of their substantive term should be admitted. Medical fitness for camp life must be certified.

No Special Establishment.

It should be clearly understood that open camp is no "Special establishment" as many

think it to be. The establishment of an Open institution is a step in the direction of modern penal practice, in which sentences of internment, whether open, semi-open or closed, have entirely lost their puniti significance. It gives the prisoners an opportunity to enjoy easier conditions of life. It is now held that closed jails are not to be treated as intermediaries for Open Camps. Prisoners may be sent direct to such an institution. Special establishments for habitual drunkards or drug addicts can be organised as in Norway, Denmark, Switzerland etc., or for sex perverts, as it is in New Zealand. Open Camps are believed to be 'special' simply because they are not commonly used at persent.

Open Camps are not for extra-mural-work. A party escorted to the site of work every morning and returning to the prison in the evening, a practice which is followed by most of the closed jails in India, is no open jail treatment. The basic character of open jail treatment consists of the trust reposed in inmates and individualization in approach.

Extra-mural work.

Social re-education is the first requisite for rehabilitating the social person. To achieve it, the convict should have every possible facility to establish contact with the free section of the society. Letters and visits are very helpful. Modern tendency is to relax as far as possible the rules governing the number of visits and letters. In Open Camps such restrictions should not exist. There are other ways too to provide increasing contact with the free world. However, in this context, three points need consideration-

Social contacts in open camps.

the letters and visits which may be allowed, leave rules and solving of sex problems. As regards letters and visits, modern penology does not favour their restriction according to the nature of crime. Leave rules are provided in closed Jails in India. They are quite liberal in open camps in U. P. Liberal leave rules have also been provided in Anupgarh Camp in Rajasthan. One day's remission is allowed for each day's stay in U. P. as well as in Rajasthan. Over and above this "Home leave" is allowed on occasions like marriage, death or illness in the family by both, although in Rajasthan, rules regarding such leaves are so defective that hardly any prisoner can take advantage of the same. One month leave is allowed in closed jails in U. P. during harvesting season to certain categories of rural prisoners. In Open Camps in U. P. 'Home leave' are liberally given. Between 1956-61 out of a total intake of 7212 prisoners in Ghurma, U.P., 345 prisoners were given home leave. Out of these 345 were sentenced for 10 years or above and 65 were for dacoities (16.2 per cent). There is a board in U.P. attached to such camps to examine applications for home leave and to recommend the same to the Inspector General of Prisons.

Leave Rules.

According to Rajasthan rules, the jail has no responsibility at all in granting such leave. District Magistrate is the real authority. The Superintendent of the Jail knows his man better than a police officer deputed by the District Magistrate. In recommending such leave, the police has to depend on the antecedents of the

produced 10, 172 mds. of cereals, 29,350 mds. of fodder, 7,000 mds. of sugarcane etc. Training in some rural industries is also provided in this camp. There is adequate facility for literary and cultural activities.

In all such camps prisoners are engaged in nation-building task, they are participants in the fulfilment of plan-targets. They are given a mission and a faith and their labour is purposeful and planned. According to a report from the Deputy Inspector General of Prisons, U. P., the main objective of Sampurnanand Camps is :—

A mission and a faith.

“.....to give offenders an experience that will so help them change their attitude and behaviour as to affect their social, moral and economic rehabilitation.....Prisoners are permitted to supplement from their wages, their personal, educational and cultural needs. They can also utilise their earnings for assisting their family in distress, which is encouraged..... As regards discipline, the traditional negative approach, that is fear of punishment, has no place in this scheme. Instead, reliance is placed on persuasion for ensuring a quick and willing response to authority and observance of rules. The convict is made to realize that he is a participant in a national undertaking which arouses in him higher feeling for fulfilment of the job entrusted to him. There is no system of convict officers in the camp but certain categories of prisoners are admitted to the class of “*Swayam Rakshaks*”, who undertake to protect themselves and others as well as Government property.

They are provided with plain clothings to avoid derogatory influence of the stripes as in the case of jails. This incidentally also helps in the restoration of their self-respect.

"The inmates of the camp are called "*Mazdoors*" or "*Shivir Vasis*" and their officers are also designated as "Welfare Officers". There is one Deputy Jailor over a group of 100 *mazdoors* and he is called "Welfare Officer"

Features of the
Camp.

A regular routine of work under supervision has a therapeutic value. This develops in prisoner a habit of hard work and industry. The value of dignity of labour is restored. Every prisoner, whether employed on prison services or on works of public utility is paid wages. In camps like Ghurma, full wage is paid, equal to that of free labour. In such a case, cost of maintenance is deducted. In Sitarganj Camp the system is to pay 25 paise plus free maintenance. In the latter, special diet is provided to supplement nutritive requirements. In all camps, wage is paid on the basis of piece work. Small groups of 20 inmates or so are formed on piece-work basis, wages are shared equally by the group. This is "Cooperation" in action. In group-work, those who are lazy or shirkers become diligent by moral pressure exerted by the group.

The following amenities are provided :—

- (a) Education
- (b) Library and Reading Room
- (c) Well-equipped Hospital

(d) Entertainment, hobbies, recreations, music, *Kirtans*, cultural programmes shared by the free neighbourhood i. e., full phase of social education.

(e) Panchayats, common amenity fund contributed by the inmates, canteen managed by the inmates themselves, fines imposed by Panchayats on workers and donations received from the prisoners go in the pool of amenity fund.

(f) Many paragraphs of the jail manual are either suspended or inapplicable to the camp.

(g) Facilities for writing any number of letters to families and visits by relations in relaxed conditions.

(h) Home-leave in case of illness in family or marriage or other important ceremonies in the house.

(i) A long detention in the camp is considered unnecessary as it is believed that if correction is to take place, it should come within two or three years. Prisoners are given one day's remission for each day's stay in the camp and the system of premature release is liberally employed.

(j) Employment Exchanges have been instructed to provide all facilities and help to the prisoners desiring employment.

(k) Only those are selected for the staff of these camps, who possess integrity, spirit of social service and humanitarian out-look.¹

1. B. S. Haikewal's "Convicts Redeemed"—All India Crime Prevention Society.

(l) Nature of crime, length of sentence, sex-offences, previous conviction etc., are no bar for selection to the camps in Uttar Pradesh.

2. Escapees and those suffering from mental and physical deficiencies are not admitted to open camps.

3. All the jail in U. P. periodically submit a list of eligible and willing convicts to the Inspector General of Prisons which also contain necessary details about each prisoner. The Inspector General, after making his final selection from the list, forwards the same to the Superintendent of the Camp, who again screens it. The selected candidates are then sent to a base camp for medical examination where details and rigours of the camp life are explained. A last chance is given to those who still waiver to drop out. The camps are so popular that hundreds of prisoners remain on the waiting list.

Criteria for selection in Rajasthan.

The criteria for selection for open camps in Rajasthan has not yet been finally decided. In connection with the admission to Durgapur farm Camp, a Government order was issued by the Home Department (No. F. 16(171)-11/54 dated 3.8.1954) declaring the following categories inadmissible --

(a) Habituals,

(b) Convicted for dacoity, murder (excluding

man. Healthy Jail life creates a new man, his old antecedents are lost for good. Therefore, for effective implementation of Home leave and such other facilities a system such as in U. P. should be introduced in Rajasthan.

Visits from relatives or friends are quite free and frequent in Durgapur and Sanganer Open Camps. Visitors can pay more than one visit a day. In these camps, a visiting wife may stay with her husband in his cottage during the night. This gives a new impetus to working and living. Only Sweden and some Latin American countries allow privacy between a visiting wife and husband in closed institutions. No such privacy is permitted in closed or Open Camps in any other State excepting in Rajasthan in India. In some countries correspondence and visits are limited to near relatives of the prisoners. In most prisons all correspondence of prisoners is censored. In Rajasthan Open Prisons, this rule has been waved, and the step taken deserves to be appreciated. At Anupgarh Camp, prisoners are permitted to keep their family in separate huts. This permission is not given in Sitarganj Camp of U. P. Inmates of the Open Camp should be allowed to keep their family at their own cost, in a separate hut, with the permission of the Superintendent of the Camp.

Sex Problem.

In Open Camps, prisoners enjoy confidence as a matter of principle. Visits are almost without supervision. In many institutions, picnics are allowed on Sundays. The family is allowed to remain united for several hours. Meals may

be brought from outside. Outdoor picnics appear to have been arranged for the inmates of Model Jail, Ajmer.

Wages in Open
Camps.

In open camps labour is usually remunerated but in most places, wages are meagre and not equal to those of free labour. In modern penology work is no longer regarded as a necessary aggravation of the conditions of internment. It is recognised that although it might be hard it should not be demoralising and that it should be useful and as far as practicable, suited to individual's aptitudes and taste. Generally no labour is agreeable unless it is remunerative. In U.P. Camps, Sanganer and Anupgarh wages are paid as a matter of right and is equal to that of free labour. When there is no distinction between the wages paid to the free labour and jail labour it is quite reasonable to expect that the prisoners would meet the cost of their maintenance themselves.

At the Karmanan Camp (Vindhya Range) 3905 prisoners earned wages amounting to Rs. 5.73 lakhs for 131 lakh cubic ft. of earth work. Minus deductions on account of maintenance and subsidiary charges, the net sum available to them was Rs. 1,70,852. At Shahgarh Camp (District Pilibhit) 2303 workers did 250 lakh cubic ft. of earth work, and earned Rs. 6.76 lakhs. Their net income amounted to Rs. 3.51 lakhs (January 19, 1955 to November, 15, 1956). Average wages at Ghurma Camp has been Rs. 1.94 (for both working and non-working days). Total earnings of 7212 workers between 1956-57 and 1961 has been Rs. 27,25,275.

Prisoners working at Durgapur Farm, Rajasthan get Rs. 1.37 to Rs. 1.75 per day as wages and they maintain themselves out of their own earnings. They are free to send their savings to their dependents at home. Between 12th September, 1955 and 31st December, 1963 an amount of Rs. 38,917.00 has been earned by 111 prisoners who have benefitted from this camp. Out of this income a total of Rs. 19,459 was remitted to their homes by the inmates.

The profit and loss account of Sampurnanand Shivar at Sanganer, Rajasthan for the period of 1st April, 1963 to 31st December, 1963 shows a net profit of Rs. 1,326.69 P. which has been given to the prisoners. This means a profit of Rs. 37.00 per prisoner, the rate of wages being the same as for free labour.

At Model Jail Ajmer, in 1957-58, 25 Paisa per day per convict was paid to all convict workers irrespective of any task considerations and thus Rs. 7,907.75 P. was paid to 31,630 convicts. In 1958-59 the same wage was paid to only those workers who completed their daily schedule of work and thus 10,128 convicts were paid Rs. 2,532 in the year and 11,932 were paid Rs. 2,983.00 in 1959-60. In 1961-62, 11,444 workers earned Rs. 2,861.00.00. From 1st January, 1963 to 31st July, 1963, the number of prisoners who benefitted by wage scheme was 8,414, who earned Rs. 2,103.50 P. Total sales of jail products at Model Jail, Ajmer in 1963 amounted to Rs. 54,938 and total production was valued at Rs. 63,996. The number of convicts is calculated on man days basis (working days).

Work in jail is no longer a punishment. Work is re-education. As far as possible, work is individualised and prisoners work in association. To make work purposeful it should be remunerated. There should be no difference between jail labour and free labour as regards rates of remuneration. In some countries a prisoner is not paid for his work but from time to time he is given some encouragement for his efforts. The gratuities given in these countries are not necessarily in the form of money payments. In some countries a fairly high nominal remuneration is paid and the cost of maintenance is deducted. In others a nominal remuneration is paid and the cost of maintenance is borne by the Government. In several countries there are systems in vogue of granting "remission of sentences for work done". The prisoner works only "to earn his release". In some countries it is considered as a social duty to give some remuneration to a prisoner and in others, it is treated as "reward" for good work.

In some countries benefit of accident insurance is also provided to the convict workers. In some States of India the Factories Act and the workman Compensation Act apply automatically to prisoners and prisoners are protected to the same extent and in the same manner as outside labour.

The U. N. Standard Minimum Rules for treatment of prisoners lays down:—

The purpose of the penalty involving deprivation of liberty must be to enable the delinquent, after his social rehabilitation and actual

return to society, not only to lead a well-adapted and normal life and to supply his own needs as a useful member of society, but also to be capable of doing this without coercion"

To sum up, the Commission holds that payment of wages to all workers, whether in closed or open camps, is necessary. It has been suggested by the International Penal and Penitentiary Foundation that "the best system, no doubt, is to give the prisoner a fairly high nominal remuneration and to deduct from it the cost of his maintenance. We suggest that it would not be fair to pay "fairly high nominal wages to them and deduct the cost of maintenance". The system in Sampurnanand Open Camps in U.P. is ideal in this respect, i.e. pay the worker according to market rate and deduct the cost of maintenance. At the same time we find that the system of Sanganer Camp, Rajasthan is even better than the above. At Sanganer, prisoners are running the whole administration and managing the camp themselves. They have planned the industrial and agricultural work on cooperative basis. They work, earn, divide their earnings between themselves and maintain themselves. Their Panchayat manages everything. If this Panchayat functions satisfactorily under the guidance of Jail Department, it shall be the first open camp under a Jail Panchayat and with no liabilities to the Government. Wherever such a Panchayat-system is not possible, U. P. system may be advisable. As it is, Anupgarh Camp shall give better results, if it is run on the lines of

Sitarganj Camp, District Nainital. Anupgarh provides for free settlement or colonization by prisoners after release.

Industrial-cum-
agricultural Camp

As most of the Open Institutions at present are agricultural, it is argued that they are ill suited to the urban convicts. It should be noted that agricultural Open Camps are the beginning of a new experiment. According to the Report of the All India Jail Manual Committee (1957-59) "Inmates sentenced to long terms of imprisonment should have something to hope for. Their interest in life has to be maintained through a well-regulated and balanced system of incentives. Once the long term offender has got the maximum benefit out of institutional programme, his hopes and interests during the remaining part of his imprisonment have some-how to be kept alive. This can be done by transferring the inmate to a Semi-Open or Open Institution and finally to an Open Colony. All this has of course, to be done on a highly selective and scientific basis. Inmates should be selected for treatment in the open through process of continuous study and scientific review of each individual prisoner". (Paras 161-162).

The Commission feels that there should be a number of agricultural Open Camps in the State as most of its convicts hail from rural areas. But the State should have a number of agricultural-cum-industrial camps also. In U. P., Sitarganj Camp is called "Sampurnanand Agricultural-Cum-Industrial Camp". Sanganer Camp in Rajasthan, which is called "Sampurnanand

Shivir", should be also named accordingly because it has (a) Agriculture (b) Durrie-Factory (c) Dairy (d) Poultry (e) Horticulture and Handicrafts etc.

Anupgarh should be an "Open Colony". Inmates of the Camp should be given free land to settle down there. Inmates of other Open Camps should have priority to join it. This would be also in keeping with the recommendations of the All India Jail Manual Committee, referred to above.

It has been suggested by the All India Jail Manual Committee that as the bulk of our Jail population consists of inmates sentenced for periods below one year, there is over-crowding in jails and short-termers cannot be gainfully employed, they should be transferred to open work camps, in homogeneous groups, and put to nation-building work.

Socio-economics
of Open Camps.

In an open jail, conditions of imprisonment can approximate more closely to the pattern of normal life.

The other features are :—

- (a) No building of the usual type is required. Heavy expenditure on massive construction is not necessary.
- (b) Opportunities of self-improvement are much better and wider.
- (c) In the long run Semi-open and Open Institutions prove more economical than closed jails (All India Jail Manual Committee, Report Pages 97-98).

The last point (c) is fully substantiated by experience. In Sampurnanand Camps in U. P. in 1961 percentage of prisoners employed on essential jail services was 8.8 as against 14.6 in closed jails of U. P. The inmates are not shirkers and they do not waste Government money or time. In Churk Cement Factory, the average output per prisoner workers of Ghurma Camp was 3.24 tons per day as against 2.9 tons produced by a free worker in October, 1956. Government saves in the cost of maintenance also. As inmates of Open Camp pay for their maintenance, the net expenditure per head in U. P. Camps was Rs. 148.50 p. in 1961 as against Rs. 379.50 P. per-head per annum in closed jails. Thus the Government made a big saving of Rs. 231.00 per head per year. In Rajasthan the cost of maintenance per head per year is nearly Rs. 615.00 (i. e. Rs. 1. 90 P. per head per day) and as 200 prisoners are kept in open camps. it would mean a net saving of Rs. 1,28,000 to the tax-payer.

Escapes.

Escapes from Open Camps in England was 147 out of a daily average population of 3801 in 1961, i. e., 38 escapes per 1,000 prisoners. In Ghurma Camp, out of a total 7212 prisoners, only 16 escaped i. e., 0.2 per cent or two in a thousand. The impact of the programme of an Open Camp is such that prisoners are able to resist the temptation of free life. In Rajasthan Jails, from June, 1955 to April, 1963, there has been only 31 escapes out of a total turnover of 2,10,000 prisoners i. e., only 0.01 per cent. Out of these 31 escapes, five remain untraced, and the rest have been re-arrested. Only one of these

escapees was from an Open Camp (Durgapur Farm). Total admission to Open Camps in Rajasthan was approximately 140 between 1956-63. The escape of one out of 140 need cause no alarm.

The Model Jail Manual has advised that there should be a daily programme of education, vocational training projects, cultural and recreational activities, discipline etc. Inmates should be allowed to bring their family members and the latter should be given opportunity for work in agriculture and allied fields or in such cottage industries as can be conveniently organised, as in Swatantrapur Colony, Maharashtra and Sanganer, Rajasthan. Main emphasis should be given on work, literacy project, social education training in agriculture and allied fields and cultural activities.

The Commission feels that the following recommendations of the All India Jail Manual Committee may be accepted by the Government of Rajasthan. They are:-

(iv) Minimum Standards as prescribed for closed institution regarding housing, equipment, sanitation, hygiene, medical service, diet, care and welfare services etc., should be followed at each Open work camp, Semi-open Institutions, Open Training Institution and Open Colony. There should also be good communication and transport facilities at these institutions.

(v) Security arrangements in an open work-camp, semi-open training institution, open training institution and open colony should be

so established that the possibility of escape gets minimised and sense of security prevails in the neighbouring community.

(vi) Non-habitual offenders sentenced to one year and below should be thoroughly screened before being sent to Open work-camps. Only suitable prisoners should be transferred to these camps.

(vii) Non-habitual offenders sentenced to imprisonment for more than one year should initially be kept in Central or District Jails. Only after close and careful study they should be transferred to semi-open institutions.

(viii) Inmates should initially be tried in Semi-Open training institution and then they should be transferred to open training institutions. Transfer to an open colony should be made only after ensuring that the inmate has satisfactorily responded to impacts in the semi-open institution or to an open colony. It should be done on a highly selective basis. Care should be taken to see that selection for treatment in the open does not become a routine and mechanical process.

(ix) The main emphasis in semi-open and open institutions and in open colonies should be on agricultural projects, nation-building activities and such industries as could be conveniently organised. In addition to the above programmes of social education vocational training in improved scientific methods of agriculture, cultural activities etc., should also be organised in these institutions.

(x) Staff members should not ordinarily be required to work at these institutions for more than one year at one time, unless they volunteer to do so. Personnel posted at these institutions should be allowed all necessary facilities for the education of their children and welfare of their families. Medical and transport facilities should also be granted according to requirements. The staff posted at these institutions should be given a substantial allowance to compensate them for the difficult conditions of service at these institutions.

In this connection the Commission suggests that besides the facility of free accommodation, medical attendance, water supply etc., the staff of Open Camps should be allowed 20 per cent allowance over and above the regular salary.

Regarding escapes, unless it is proved that the escape was due to deliberate negligence of the officer concerned, it should not be treated as an administrative offence.

The first attempt to start an Open Camp in this State was in association with Durgapur Farm. An agricultural farm under the Department of Agriculture employing free labour at usual market rates. On the 12th of September, 1955 Rajasthan Government decided to experiment to an Open jail camp at the Farm with the following aim; "prisoners belonging to rural areas should be given training in latest methods of agriculture at the Government Agriculture Experimental Farm, so that after their release they may prove useful to the society, and share

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Camps in Rajas-
than.

their knowledge of modern methods in agriculture with others of the village community”.

So far 131 prisoners have benefitted from this scheme. 109 prisoners have been released from this institution and twenty two are working at present.

Their wages and earnings have been indicated earlier in this chapter.

Most of these prisoners were or are long termers, sentenced to life imprisonment. So far there has been no complaint about their behaviour from any quarter and they enjoy the confidence of the neighbouring community and the authorities of the Farm.

The inmates of Durgapur Farm are allowed to keep their families with them with the permission of the Inspector General of Prisons and separate family accommodation is provided to such families. Upto this time 19 prisoners have taken advantage of this facility.

Prisoners remitted Rs. 8,900.00 to their families during 1956-63.

Sampurnanand
Shivir, Sanganer.

Sanganer is nine miles north, of Jaipur. It is a town within a population of 4,000. Its *Panchayat Samiti* consists of representatives of 35 *Panchayats* of the adjoining areas. An enthusiastic Block Development Officer embarked upon a unique adventure. He invited the jail Department to share in the nation-building work of the *Panchayat Samiti*. Prisoners were invited to settle down in full freedom, in the deserted

refugee camps, 2 furlongs from the main town. Rs. 500.00 were granted for the construction and repair of sheds, Rs. 3000.00 for a well, 40 bighas of land for cultivation, an orchard of five trees, Rs. 3000.00 were for a Cooperative production centre and Rs. 4000.00 for a dairy farming. The cooperative *Durrie Industry* of the *Samiti* was transferred to the *Shivir* at the rate of 6.5 per cent per annum interest. For the first time in the history of open camps, prisoners were invited to live in the town, start an industrial-cum-agricultural farm and a cooperative production centre. This *Shivir* came into existence on September, 16, 1962. Its inmates were called Mazdoors. 6 nP. are to be paid as fine each time a visitor calls them a "*Qaidi*", there is absolutely no watch and ward. The administration of the camp is entirely in the hands of the inmates, they have their own *Panchayat* and *Pradhan*. All expenses of the camp are met by the Cooperative Society and savings are divided as wages. The camp is running a water-shed for travellers a good example of community service. In the durrie factory, all free labour engaged by the *Panchayat Samiti* previously are now engaged by the Prisoners' *Panchayats*, that is prisoners are employing free labour which itself is a unique feature. The camp has an impressive programme for literary, cultural and other types of socio-education.

Sanganer Camp has now 35 inmates, including two invalid prisoners. These two are related to the other two inmates of the camp and have been invited to this place to keep them comfort-

ably. Prisoners are allowed and provided facility to keep their family and several inmates have taken advantage of this great concession. One inmate has called his minor brother, who is a student, and the *Panchayat* is giving him a scholarship.

Sanganer Camp has a capacity of 60 inmates. The transfer of land etc., to the camp by the *Panchayat Samiti* is unconditional and on a permanent basis with no strings.

The following are the provisional rules framed for Sanganer Camp:—

1. Prisoners of good conduct will be allowed to live in the Open Jail, where they will work to earn money for themselves.

2. The prisoners will wear their own garments and will prepare their own meals at their own cost.

3. The prisoners will be allowed to save any amount of money from their earnings and will be at liberty to send it to their families.

4. The prisoners will get wages at the following rates against out put basis:—

(a) Durrie weaving (P. Bordered)	Rs. 0. 20 P. per Sq. ft.
(b) Yarn opening 5 ply 6%	Rs. 0. 40 P. per kg.
(c) Supervision charges	Rs. 0. $\frac{1}{2}$ P. per sq. ft.
(d) Dyeing charges	Rs. 11. 00 P. per 10 kg.

5. The prisoners of this *Shivir* will get the quarter remission equal to that of a Star Class Prisoner.

6. Residential accommodation and working shed tools, and other accessories will be provided by the *Panchayat Samiti*, Sanganer and these will be under the charge of the clerk deputed by the *Panchayat Samiti* for this scheme.

7. Raw material will be supplied by the *Panchayat Samiti* against the indent placed by the Part-time Designer from Jail Department, who will be responsible for the sale of finished goods and will be paid an allowance as per rules by the *Panchayat Samiti* in the scheme runs profitably.

8. Finished goods will be sent to Store for sale against the Store Return Voucher. The rates of the finished goods will be fixed by the Part-time Designer.

9. The bill of the workers will be prepared by the clerk deputed by the *Panchayat Samiti* and the same will be countersigned by the part-time Designer. The clerk will also keep the daily record of output and of Raw Material supplied to the workers in weights and the finished goods received from the workers in size and weights. Job Register will also to be maintained.

10. The Superintendent, Central Jail, Jaipur will be in charge of this camp and *Vikas Adhikari* will be the incharge of the Production Centre.

MONTHLY PROFIT AND LOSS ACCOUNT

EXPENSES		INCOME	
1. Raw Material	1780.00	1. Selling price of finished goods	
		borderd durries	
		5 sq. yards	
		0.75 nP. per sq. ft.	3,375.00
2. (a) Weaving charges	990.00		
(b) Yarn opening	105.00		
(c) Supervision	25.00		
	<hr/>		
3. Pay	1,120.00		
Clerk 1	100.00		
	<hr/>		
Allowace to part-time designer	170.00		
4. Rent of building	80.00		
5. Interest of Capital	10.00		
6. Over Head charges on labour @ $6\frac{1}{2}\%$	70.00		
7. Petty expenses for tools etc.	20.00		
	<hr/>		
	3,250.00		
	<hr/>		
8. Profit	125.00		
	<hr/>		
Rs.	3,375.00	Rs.	3,375.00
	<hr/>		<hr/>

A sum of Rs. 3, 999.00 has been advanced by the *Panchayat Samiti*, Sanganer for the Durrie Centre. The cost of raw material and labour charges are being met from this amount and the loan shall be recovered when finished goods are sold. There shall be a saving of Rs. 125.00 per month plus Rs. 10.00 interest on Rs. 3000.00 @ 4% and Rs. 70.00 as over-head charges. Total profit comes to Rs. 205.00 per month.

The expenditure of raw material and sales of finished goods are arranged by the clerk on the recommendation of the Part-time Designer working under the supervision of the Vikas Adhikari, Panchayat Samiti, Sanganer, as per rules.

It is too early to draw an actual profit and loss account of this camp; as the camp is not yet fully organised. Most of the time of its inmates has been spent in repairing the old barracks and in making them habitable. They had to sink a well, -18 ft. deep, to irrigate 40 bighas of land given to them by the Panchayat for agriculture. The Durrie Factory of the Panchayat has been taken over by the Camp and five free labour who used to work in that factory are now employed by the prisoners.

Assessment of
Sanganer Shivar

In the district of Jodhpur, there is an agricultural Farm at Mandore, belonging to the Agriculture Department. The Farm Manager agreed to take 15 prisoners from Jodhpur Jail to work as labour on Rs. 1.75 nP. per day. Later on, the number was reduced to ten prisoners.

Mandore Camp

These 'workers' are now living in improvised huts on the farm. They arrange for their own clothing and cooking. *Kirtans* and *Bhajans* are daily features. Occasionally they visit the local Training School for *Sarpanches* and heads of *Nyaya Panchayats*. The camps lacks permanency as it depends upon the provision of continued employment by the department of Agriculture which has not been guaranteed so far.

Anupgarh Camp.

An Open Camp has been organised at Anupgarh (85 miles from Sri Ganganagar) in June 1963, with 145 inmates. They are lodged in sandy desert, in tents and huts. The task entrusted to them is to dig the base of the Rajasthan Canal in a very difficult terrain. It took two months to the camp to settle down and actual work started on 8th August, 1963. In five months, i. e., upto January 14, 1964, approximately Rs. 20,000 has been credited to the account of inmates as wages. The payment is made by the Canal Department on the following calculations :—

- (a) At the rate of Rs. 16.50 p. per thousand cubic ft. for undressed earth for a bed of 50 ft. If it is more than 50 ft., for every additional 25 ft. bed per thousand cubic ft., 60 P. is paid. Over and above this amount, Rs. 2.00 per thousand cubic ft. is paid for dressing. Rs. 10,000 was earned by 145 workers for 5,00,000 cubic ft.
- (b) Wherever the density of soil is more than 1.60 the worker shall be paid an extra of Rs. 5/-per 1000 cubic ft. for hardness; for

the hard work already executed the extras shall be paid at a later date.

On 22nd February, 1964, the Camp had 102 inmates-77 were engaged on digging, 8 cooks, 2 barbers, 5 water-carriers, and 10 sick. Upto 31st January, 1964, 11,00,000 cubic ft. earth work has been done. Two miles of canal has been dug.

The paymaster i. e. the Canal Department has not yet amended its rules of payment to prisoners. Its rules are applicable to contractors and prisoners alike. 10 percent. of the due payment is deducted as per rules as security money. We understand that this deduction shall now be stopped in future. However, the system of late and delayed payment continues. The payment received thus far is only for two months and 13 days. Average earnings for this period for a good worker has come to Rs. 90.00 out of which Rs. 60.00 has been deducted towards his maintenance costs. As it is, most of the workers have earned only Rs. 15.18 P. for the period referred to above. The result is that those who brought their families in the hope of maintaining them, were disillusioned. Many have sent back their families. None is happy about the system of such delayed payments. Unless advance payment is made by the Canal Department, inmates of this camp would never feel happy about their earnings and they shall not be able to maintain their dependents also.

It was a noble idea to start this camp. It was a great perception to allow family quarters to those who wished to live and earn with their

wife and children. It is a good system to allow the dependents of the inmates to work and earn side by side with the prisoners. In nation-building activities prisoners participation has the advantage of earning and national work, both.

Prisoners are always welcome on such work. They are good workers, diligent, disciplined and dependable. The Canal authorities are fully satisfied with their work. They want more prisoners on the job. The Nagar Palika of Anupgarh has also praised their work vide their letter No. 355/6-64 of January, 31, 1964..

There are malingerers among them as they are every where. But they can be cured of their habit by group pressure and social pressure as it happened in Sampurnanand Camps in U. P. or at Cino in the U.S.A.

Campers at Anupgarh are doing fairly well. They are bravely facing tremendous difficulties. It is a snake and scorpion infested area. Dust and wind play for all the hours. Rain, bitter cold and intense heat do not spare them. Even drinking water is scarce and for the muddy water supplied by the Canal department, Rs. 5000 was demanded as charges for 7 months. This is preposterous. On an average daily population of 125, sickness in the camp is distressing. Including the malingerers, 57 were sick in September, 1963 and 58 in October, 43 in November, 56 in December and 65 in January, 1964.

There are heaps of defects in the organisation of this camp. As it is, we cannot call it an Open Camp. It is at the most a "work-camp".

It has 20 warders and two Head Warders. One Assistant Jailor manages it. He is the clerk and the cashier both. No arms are supplied to the warders. Police Station of Aunpgarh is one mile from the Camp. Prisoners manage their own kitchen. They can cook what they like. But they cannot be expected to have better meals if they earn Rs. 15.18 nP. in six months (arrears are expected to be paid soon). Fifteen inmates have their families at present. None of the family member is happy with his or her economic lot. They are living there for the love of their man-the prisoner. There is no cultural life, no community amusement. No uniform for the muddy and dusty work has been provided. Due to scarcity of water, prisoners cannot wash and clean themselves. Prisoners who cook food are not paid any wages. It is expected that in future date some arrangements shall be made to pay them out of community funds. Sick get no wages. They shall get free food. Once a week prisoners go to bazar accompanied by a warder. The word "*Bandi*" is used freely. It is written on the gate of the Camp.

We have interviewed most of the prisoners. None would stay in the camp for a day if he was not allured by the grant of remission of a day for each day's stay. Otherwise none appears to be enamoured of an open camp life. All workers demanded land in the area to settle down. This is a very reasonable demand. If they are nursing a new land, they should be allowed opportunity to settle down. Anupagarh can develop on the lines of *Devao* colony of Philippines, or Sampurnanand Camp, Sitarganj.

We have passed that age when it was necessary to explain and argue out the necessity of Open camps.

The idea of open institutions should be properly understood. The International Penal and Penitentiary Foundation (I. P. P. F.) wrote in 1954....."The Open Institution is often essentially a farm colony, be situated in a place specially selected for its production capacity (good climate, suitable soil), well away from built up areas, but not too far from them. As a rule it consists of an intensive area for cultivation or afforestation, with all the necessary equipment for farming and stockbreeding, as well as workshops (carpentry, ironwork, painting and decorating building and saddlery), to enable the establishment to provide as far as possible for its own needs". The Commission recommends that open jails should be tried for suitable short termers who may be sent to them immediately after conviction as well as for women.

In the colony for women, there may be workshops for trades such as needle work, laundering, household work etc. Open Institutions usually accommodate fewer persons than closed institution. In Europe and U.S.A., average population of Open Camps is 75-100. The Swiss Open Jail at Witzwill, one of the best open jails in Europe, has a strength of 500 inmates. Witzwill has a fully furnished guest house, where released prisoners can live for a couple of weeks till they plan out their future. We suggest that an experiment in this direction should also be made.

It shall not be out of place to quote the Senior Advisor to United Nations on Social Defence who has observed on December, 6, 1963 after visiting the Sampurnanand Camp, Sitarganj:—

Unesco's
Comment.

“I am greatly privileged to have had an opportunity of paying a visit to this unique institution today. In spite of the distances travelled to get here, I must confess that it has been extremely worthwhile. The Superintendent and Staff are to be congratulated on their efforts in organising and operating an institution of the size and effectiveness. The attitude both of the staff and inmates impress me as being constructive and forward looking. Its close and practical integration with the agricultural economy of the country is one of the more important aspects of the correctional work that is being done here. I have no hesitation in saying that this is the type of institution which the future of corrections looks forward to, not only in India, but also in the Asian Region. I cannot help taking this opportunity to pay my humble tribute to the wise and humanitarian statesman Dr. Sampurnanand who inaugurated such a scheme. I wish the institution all success and look forward to hearing more of its developments in the future.”

We feel that this is the real philosophy and ideal for our Open Camp. Mr. Geranson, Director of the Swedish Penal Administration calls the open institution revolutionary. He observes:—

Philosophy of
Open Camps.

"The traditional mode of carrying out sentences has often been criticised because it has deprived the prisoner of his power of initiative and his capacity of solving his own problems."

Mr. Arnold, Governor of the mining Centre of Eygclayaven Holland, says:— "A sense of social responsibility can only be inculcated by giving responsibility to those who need to develop that sense".

Mr. J. Bennett, Director of the U. S. Federal Bureau of Prisons, writes:— "The Open regime breaks down the feeling of..... hostility towards society that is characteristic of many of those who have come in conflict with the law. The prisoners learn to work and live together, appreciate the other persons' view point and how to adjust their own desires and drives to conform to the rules of an orderly society".

M. Mussillami, Sectional President of the Italian High Court, declares..... "Air and Light are, in short, the essential factors of constant progress in the development of systems of Penal treatment. Like all other factors of re-education they ensure the delinquents rapid re-adaptation to social life and arouse in him a constant and growing desire for undisturbed liberty : thus the new ideas find in them a centre of attraction and a driving force".

M. Scudder, Superintendent of the California Institute for Men, China, expresses a similar opinion "The open fields, the absence of gun guards, no regimentation, men allowed to go to meals and to work unescorted by guards, chall-

enge each individual to again begin to stand upon his own feet. Here he is constantly faced with the case of escape. The fact that he rejects this possibility indicates that he has taken a great moral step. By accepting this responsibility, he has admitted to himself that he wishes to be a social rather than an asocial individual”.

This, in a nut shell, is the philosophy of Open Camps, it has taken almost a century to evolve this philosophy. The programme of Open Camps was for the first time approved by the Social Section of the United Nations at the Third Session of Social Commission and was approved by the Economic and Social Council in its resolution No. 55 (VII), dated August, 13, 1948. This subject received priority of the fifth session of Social Commission in 1949. The subject was discussed at the Hague in 1950. Again in 1952 at the European Regional Consultative Group held at Geneva in December, Latin American Seminar at Rio de Janerio in April, 1953, Middle East Seminar held at Cairo in December, 1953, Asian and Far East Seminar held at Rangoon in November, 1954, & the world Congress held at Geneva and London in 1955 and 1960 respectively have all given their seal of approval to the programme of Open Camps.

For the first time in the history of prison administration, the first, conference of convicts and ex-convicts was held at Lucknow on November, 12, 13, 14, 1957 sponsored by the then Chief Minister of U.P. The genesis of this conference lay in the following observation of the Chief Minister:-

What prisoners think about it.

“With the best will in the world, it is not always easy to enter into another man’s mind and to place onself in his place. We want to know how far the treatment and training we give in jail really help the prisoner to rehabilitate himself. We want to know, how exactly the inmates of our jail react to the steps we are taking in the direction of jail reform. We desire to ensure a fair deal for the prisoner and give him such help as will enable him to find an honourable place for himself in society”.

The following resolutions were passed by the prisoners:-

- (1) A prisoner should work for six hours only so that he gets more time for reading, writing etc.
- (2) More individual attention should be paid to the convicts.
- (3) Classification of prisoners should be based on character, conduct etc., and not according to age groups. *न्यायमेव जयते*
- (4) The internal management should be entrusted to a *Panchayat*.
- (5) There should be moral and religious training.
- (6) There should be greater contacts with the outside world through methods and tournaments.
- (7) Probation system should apply to all convicts.

These are some of the resolutions passed by the prisoners. The Commission feels that not only in relation to Open Camps but also in the whole sphere of Jail administration, these proposals should be adopted, as far as possible.

The following staff shall be needed for an Open Camp (with not more than 200 inmates).

1. One Superintendent (of the rank of a Superintendent, District Jail A Class).
2. One Jailor
3. One Accounts Clerk
4. One Medical Officer
5. One Compounder
6. One Lower Division Clerk
7. Two Heads Warders
8. Ten Warders
9. Two Sweepers

The staff shall be paid 20 per cent extra of the usual salary along with other usual amenities as provided for them in the rules.

In brief, the recommendations of the Commission are:-

RECOMMENDATIONS

1. There should be at least three Open Camps in Rajasthan viz:-

- (a) An Agricultural settlement at Anupgarh.
- (b) An Agricultural-cum-industrial Cooperation Colony at Sanganer.
- (c) An Agricultural Farm at any place selected by the Government.

2. All Open Camps should be run, managed and controlled by the jail department. The feeling or organising and managing their own institution should be inculcated among the inmates.

3. Open jails should have no visible security arrangements. Prisoners should as far as possible, live under conditions of trust and responsibility.

4. Anupgarh Camp is no Open Camp in real sense of the term. It is only a work camp at present.

5. All Camps should have adequate programme for social, literary, mental, moral and cultural education. Adequate opportunities should be provided for contact with outside world.

6. Prisoners may be sent directly to the camps on conviction in suitable cases.

7. At least in two camps there should be arrangements for prisoners to keep their families with them in a separate hut, at their own cost, with the permission of the Superintendent of the Camp.

8. Wages at par with free labour should be paid to all inmates in Open Camps. Maintenance cost shall be paid by the inmates.

9. There should be a 'Home' attached to each camp for the discharged prisoners to stay there for some time till they chalk out their future programme. Employment Exchanges should be instructed to help the discharged prisoners who seek employment.

10. Selection of inmates for camps be made on the basis of the two-tier system suggested in relevant section of the chapter.

11. Inmates in Anupgarh may be provided facilities to settle down in the colony as free citizens.

12. Only trained personnel should administer the Open Camps. They should be given 20 per cent of their pay as allowance and free accommodation, water supply and medical facilities.

13. Nature of crime should be no bar to admission to camps.

14. Open Camps should be called "*Shivir*" and not *Bandi Shivirs*.

15. Recommendations IV and X of the All India Jail Manual Committee (P. 101 of Committee's report) should be accepted.

16. No open jails should have more than two hundred inmates in Rajasthan in view of its prison population.

17. Security arrangements are necessary to minimise escapes and to give a feeling of security to the free neighbourhood. But such arrangements should be least visible.

18. The staff required for an Open Camp with not more than 200 inmates has been provided in the Chapter.

CHAPTER VII

REHABILITATION

The basic-needs,

The objective of prison policy is reformation of the individual, who has been convicted for any offence, so that when he goes back to the society after having served his period of sentence, he is able to lead the life of a useful citizen. Thus every prisoner needs to develop a sense of belonging, a feeling of competence and accomplishment, a sense of individuality, and changes of interest and activity appropriate to his aptitude and ability. The case of juvenile offender deserves even greater consideration.

A juvenile offender suffers from lack of maturity in judgment and inability to make long range plans. Juvenile or adult offenders may have come from broken homes. They may not have received the benefit of stabilizing influences to instil in them the moral and ethical values of our society. Their educational level is also below expectations.

Custody-No
solution

Hence simply keeping them in custody is no solution of the problems referred to above. Some kind of freedom of movement inside, is necessary for mental and Physical growth. Freedom in some form in institutional treatment is the *sine-qua-non* of jail reform. However, such freedom of movement depends on the classification of prisoners.

If individual traits and environmental circumstances are the two essential factors in the rise or decline of personal moral values of the individual offender, his cure does not lie in maximising his security in jail. Chief Justice Earl Warren of U.S.A. has said, "Years of experience in the field of law enforcement have long since led me to the conclusion that safety of society cannot be assured by putting all our trusts in maximum security jails. We must increasingly place more and more emphasis on preventing our youth from gravitating towards a life of crime and upon salvaging a vast proportion of our delinquents through human institutions and enlightened system of probation and parole".

Security of rehabilitation.

The International Penal and Penitentiary Foundation (I.P.P.F.) has reported in 1954 that due to the reasons given above, the penological world of today is looking for a new spirit. "This already prevails in these institutions which are directly based on the principle of social defence and are used for application of a basic regime on re-education and individualized treatment."

Modern forms of treatment.

For rehabilitation, it is required that the basic concepts regarding penal establishment, as originally conceived, should be changed in order to suit the new object of the sentence. The problems of discipline, jail work, the use of leisure time and the prisoner's relation with the outside world should be studied in the above context. Jail administration has to be human, fully recognizing the fact that the individual offender is a human being, a member of a civilized community.

Isolation.

Modern correctional methods have demonstrated the futility of old cellular system in isolation (Pennsylvania system) by day and night, which was designed with the object of preventing prisoners from contaminating one another and to counteract undesirable influences. This system is a mere survival of the old methods. It is retributive. It leaves a pernicious effect on the mind and paralyses the inherent goodness of the individual. However, sometimes it may be necessary for separation or observation. In some countries it is awarded for a maximum of 90 days (U.K., France, Belgium, Denmark, Austria etc.) while in some countries like Switzerland, New Zealand etc., it can be inflicted for maximum of 24 hours only. We recommend that it should be sparingly used for separation and observation but even in extreme cases of indiscipline, it should not be used for more than 72 hours in Rajasthan Jails.

Progressive stage system.

Alternative to the cellular isolation system is the Progressive Stage System, combined with the old Auburn System. By this method the prisoner is prepared for his release and social rehabilitation. He has to pass through a series of tests and he works his way up by successive stages, until he reaches the point of conditional release and then full discharge. The privileges enjoyed such as right to have visitors, correspondence and remuneration for work done are obtained by functioning satisfactorily in homogeneous group trainings.

But modern penology does not favour this system. Group development and active good-

will are not personal development. "Mere obedience to the rules and orders received cannot be regarded as good conduct". The successive grading of prisoners beginning with limited confidence, followed by full confidence, semi-liberty and finally release need not necessarily mean his preparedness for social rehabilitation. At times the successive grading may be due to personal consideration or favouritism, or both. The real progress consists of a change in the attitude of the prisoner. The Commission, therefore, is of opinion that such a penal system should be introduced which does not allow the individual offender to develop a feeling that he has been completely removed from the folds of the normal society. In this context, the Commission would welcome the increasing application of parole system which is very helpful in rehabilitation of discharged prisoners.

Rajasthan Prisoners' Leave and Parole Rules 1958, have provided for release on parole and 'leave' to the long termers. But the provision is so defectively worded that hardly any one can take advantage of it. Not a single prisoner was released under this rule in the last three years. Repeatedly the attention of the Commission was drawn by the prisoners to this hardship. The rule needs amendment. According to the present procedure, the district magistrate is the final authority for disposing of such applications. This authority has to depend on the report of the local police, which is guided by the past history of the applicant. Reformation in jail is no criterion for the local police. Therefore,

Parole and leave rules.

the procedure of granting leave on ticket should be simplified on the pattern of Uttar Pradesh. If the Inspector General of Prisons is satisfied that the prisoner is dependable enough to be allowed to go home, he should be granted parole or leave on ticket on furnishing proper surety and security. Parole should be available for one month in a year after having served one third of the terms of sentence including remissions. This rule shall apply to prisoners sentenced to three years or more. Leave and parole enable the prisoner to re-establish his social contacts which goes a long way in helping him to be rehabilitated in society.

The Commission has recommended above that there should be a Board with the Home Minister as Chairman to entertain and issue final orders on all cases of release on parole, ticket-on-leave, probation etc. But this process shall naturally lead to some delay and in cases of serious domestic problems or personal illness, immediate release of a prisoner on parole may be necessary. In such emergencies the Superintendent of Jail, with the approval of the District Magistrate may recommend a case to the Inspector General of Prisons who may be authorised to issue orders for release on parole for not more than ten days.

International Penal and Penitentiary Foundation (I.P.P.F.) has advocated the abolition of short-term sentences as they do not serve any useful purpose in reformation or education of the prisoner. Such sentences cause great damage to the personality of the individual. No

institutional treatment is possible for those who have to stay in the jail for a few days or a month or two. We would also suggest to the Government of Rajasthan to amend the law to avoid such short-term sentences. However, so long as such sentences are awarded by the courts, we feel that release on probation would be a better alternative than short-term sentences. We also propose that there should be an entirely separate institution for 'short-termers'. They should never be kept with long termers.

Jails are social institutions where the asocial person recovers by a proper therapeutic treatment. Recovery means rehabilitation.

Jails are social institutions.

The recovery of asocial patient is through a trilogy of modern correctional methods, viz., education, discipline and attendance (individual attention), which lead him or her to a normal social life so that the offender regains his sense of self-respect. However damage is done to the development of these qualities by certain erroneous concepts of 'Privileges' and 'leniencies'. The damage is indirect but deep. For instance, the system of 'remission' in sentence for 'good work done' appears to be a helpful and unharmed measure. But it takes for granted the prisoners' guilt and leads to his release before expiry of the sentence. The prisoner has 'earned' his release by 'labourious work'. He need not be a changed man, fit to enter soccity.

In the foregoing paras, we have suggested the disciplinary methods, ensuring physical, mental and moral progress of the prisoners,

The trilogy of modern Jail treatment.

combined with the progressive stage system with individualized treatment. For such a treatment, literary, vocational and moral education should be regular features in the curriculum of the jails.

(a) Literary
Education

For literary education, at present only five full time paid teachers are provided for jails of the state, three are in the grade of Rs. 75-160 and only one in the grade of Rs. 90-190. One teacher each is posted at Jodhpur, Jaipur, Ajmer, Bikaner Jails and the Juvenile Reformatory at Udaipur. At some places, part-time teachers are provided by the Education Department. Educated convict teachers also do something in this respect. Teachers are expected to look after jail libraries also. Education is, however, compulsory for the juveniles. It is optional for the adults. The adults' are expected to study in between factory hours or inside barracks after closing time under defective, dim lights. The Commission is not satisfied with the educational arrangements in the jails. In some places, it is almost a show. In some of the sub-jails, some enthusiastic sub-jailors are doing good work in this direction, almost on their own. They beg and borrow books old periodicals, rejected newspapers and even slates and pencils. In the past, attempts were made to introduce literary education in some sub-jails but given up for want of either a literate warder or convict overseer.

(b) Library.

The jails have no library worth the name. In Jodhpur Central Jail, 2,000 books are stored in one almirah but majority of them are

pamphlets. Not more than a sum of Rs. 200/- is spent each year on the purchase of books for all jails in Rajasthan with the result that there is no library in any jail worth the name.

During the year 1961-62, on August, 15, 1961, a literacy campaign was launched in Jaipur Central Jail. The services of 20 part-time teachers were made available by the Education Department. The classes were arranged between 5 to 7.30 p. m. and 246 prisoners were taught. Of these 200 belonged to 1st standard, 37 belonged to 2nd and only 9 were good enough for 3rd standard. 1,570 persons were made literate in 1961-62 and 1,446 in 1962-63, after their admission in various jails and sub-jails. These figures appear to be a little optimistic. It should be noted that during the year 1961-62, total admission of literate prisoners in jails and sub-jails was only 2,086 and 1,715 respectively. 29 male and 11 female prisoners appeared in *Madhyama* and *Praveshika* examinations respectively of Bombay Hindi Vidyapeeth in the month of September, 1963 from Jaipur Central Jail. Examination fees and books were paid by the Prisoners Welfare Fund. (c) Literacy drive.

The Commission is of the opinion that a literacy drive should be launched, and the following provisions should be made :—

- (a) Rs. 5,000/- a year for purchase of books for libraries to be distributed among jails according to their status and population.
- (b) One full time teacher for each district jail and two full time teachers for each of the central jails.

- (c) A literate warder and Convict Overseer in all sub-jails.
- (d) Literary education to be made compulsory, for half-an-hour after evening meals.
- (e) Arrangements for reading and writing material should be made from jail budget.

(d) Social Education,

Social education is equally important. Lectures and talks on moral and social subjects are supposed to be arranged at all the jails, such lectures are delivered by the jails' officers, as well as by distinguished visitors. During 14 months of its life in Rajasthan, the Commission had no occasion to participate or witness any such programme, but it is commendable if 428 lectures (as claimed by the Jail Department) were delivered in 1961-62 and 466 in 1962-63. During both the years, the quota of non-official lectures was 147 and 53 respectively. This number would increase if the institution of non-official visitors is reorganised :

(e) Healthy diet.

Healthy mind and healthy body, both are necessary for the recovery of the asocial person. In 1962-63, the total number of prisoners admitted to jail hospitals was 996 as against 1064 in 1961-62. In the sub-jails 260 prisoners received treatment in 1962-63, as against 291 in 1961-62. 88 patients from the jails and 17 from sub-jails were sent to civil hospitals. Five deaths occurred in jails and one in sub-jails as against seven in all jails in 1961-62. There were 34 patients suffering from tuberculosis, 14 from lunacy and two from leprosy in 1962-63 as against 26 ; 11 and one respectively in the

previous year. The health of the prisoners is fairly good. There is no indoor hospital in sub-jails, hence patients needing hospitalization are sent to local hospitals. The daily average number of prisoners who got sick after their admission in the various jails and sub-jails was 3.4 in 1962-63 and 3.7 in the year 1961-62.

There are at present only six whole time Medical Officers and fourteen whole time compounders attached to the jails only. A local Medical Officer is attached as part-time to sub-jails and the same holds true in the case of the compounders. In most of the sub-jails visited by the Commission, Medical facilities were unsatisfactory. Local Medical Officers do not take proper interest in their work. Even their routine visit is irregular. Their registers are hurriedly and illegibly written. They are almost oblivious of their duties regarding the checking of diets of prisoners and hygienic conditions of life in jails. The compounders get very small allowances. The jail Medical budget is so tight that in sub-jails, where average daily population is ten to twelve annual medical provision is for Rs. 100/-only. Obviously many cases are left to nature for want of medicine and treatment. Therefore, we think that the figures for sickness given by the jail department are not very dependable. Most of the buildings of sub-jails are horribly insanitary. They are bound to breed sickness and disease. The Commission therefore recommends that better medical facilities should be provided in all district jails and sub-jails. There should be one whole-time Medical Officer

and Compounder in each district jail. There should be more funds available for medicines for all jails and sub-jails and better remuneration for part-time Medical Officers and Compounders in all sub-jails.

The problem of
Health.

The health of prisoners is engaging attention of prison authorities all over the country.

Paragraph 109 of the All India Jail Manual deals with medical aspects and paragraphs 185 to 188 with the aspect of diet for prisoners. According to the Manual, it is the responsibility of the Government to ensure that all prisoners are fed adequately, so that their health and weights are maintained.

Health of the prisoners is a vital factor in prison administration. Excluding Rajasthan, in 12 States in India, in 1960, total average number of sick in prisons was 931.98 per ten thousand prisoners, average daily was 26.74 and mortality was 4.18.¹ The largest number of sick were in West Bengal (23,188) and Bihar was second (22,698). Daily average for both was respectively 630.41 and 851.79. In this respect, Rajasthan is in a much better position.

Prisons are used for non-criminal lunatics for intermediate custody due to dearth of Mental Hospitals. Criminal lunatics are kept for the full term of sentence in jails. The All India Jail Manual Committee writes in this connection "We affirm our view that a prison is not the place for criminal lunatics, much less non-criminal lunatics."

1. Social Defence, January, 1964.

Much more serious is the case of tubercular prisoners or actual patients of T.B. This needs special attention but it is not possible to provide separate unit in the all jails hospitals for T.B. patients. Dr. N.L. Bordia has observed in this context:—¹

“The establishment of Central Special Tuberculosis Institutions” may not be feasible on financial considerations. The transfer of Tuberculosis prisoners to a distant central institution may present difficulties. The relatives of prisoners may find it difficult to meet them.

Taking all these points into consideration, it would be highly desirable to provide all possible cure within various prisons. Now a days with a little extra care, jail doctors can satisfactorily supervise the treatment of the tuberculous prisoner patients with the help of potent drugs. The danger of spreading disease to other convicts is negligible if the tuberculosis convicts are treated properly and if they are kept in separate cells”.

We have to look to the question of health of prisoners from a practical angle. One of the terms of reference to the Commission is whether a separate Hospital for prisoners is required. We have given due consideration to this question. Medical facilities in Rajasthan jails are more or less the same as in the jails of other states. The health of the prisoners is almost the same or even better than in the neighbouring States. The defects in the present arrange-

Separate Hospital
for Prisoners

1. Social Defence, January, 1964.

ments for the medical care of the prisoners have been pointed out in the chapter. By removing them and providing better medical facilities, the health of the prisoners shall improve further. The jail population of Rajasthan also does not justify a separate medial unit.

But there are certain things in this respect which require immediate attention. There is no proper arrangement for the treatment and care of patients suffering from tuberculosis, leprosy, lunacy etc. Local hospitals do not provide beds to patients from jail as a prisoner needs special security measures. Secondly, there may be no beds available. Thirdly in maternity cases or serious illness woman prisoners, police does not provide female police escort and therefore local hospital service may not be available.

Therefore, it is necessary that there should be a fully equipped indoor hospital wing attached to a big jail where separate arrangements for chronic cases of female prisoners should be provided. Arrangements for 30 segregated beds can be made if Rs. 25,000 is sanctioned for building, Rs. 15,000 for equipments and Rs. 10,000/- annual recurring expenditure for the staff and maintenance of patients. The Commission recommends the institution of such a wing. The necessity of such a wing shall not arise if a separate wing is provided to the jails by specialised medical institution of the Government for the treatment of chronic cases.

Health depends on nutritious diet. No one now subscribes to the old school of thought that

prisoners should be kept half starved so that their continuous hunger would remind them of their sin. Hunger too leads to a social behaviour. It should be cured to rehabilitate a man. The question of providing sufficient caloric value in food to the labouring and non-labouring prisoners has been receiving attention of the Government. At present the following is the scale of diet given to prisoners C class :—

	<i>Labouring</i>	<i>Non-labouring</i>
Flour	383 Grams (10 Chh.)	325 Grams (9 Chh.)
Dal	87	58
Oil	15	15
Vegetables	233	233
Condiments		7
Salt	17	17
Gur (Twice a week to convicted prisoners)	29	—
Potatoes or Sweet		
Potatoe	117	117
Jowar Phoola or Dhani or Parched Gram or soaked Gram.	58	58

According to the Chief Public Analyst, Health Department, Government of Rajasthan, the present labouring scale gives 2,400 caloric value and non-labouring scale gives 2,000 caloric values. The Analyst proposes 3,000 calories to the labouring class and 2500 to the non-labouring.

He has also proposed that proteins supplied in the diet at present are obtained from vegetables whereas it should be animal proteins. There should be more of vitamin 'A' and 'C' in the Jail diet. A Medical Officer attached to a jail in the State has suggested the following addition in Jail diet :—

Skimmed milk powder (28 grams) 101 calories
and Dalia (Fry) (56 grams)-200 calories

or

Dalia 1 Chh. plus $\frac{1}{2}$ Chh. Gur (56 plus 28 grams)
300 Calories). Chapati equivalent to 1 Chh.
Atta (56 Grams)-200 Calories.

We have received hushed complaints of hunger from sturdy Rajasthan prisoners. One great defect in diet in sub-jails is that contract for supply is given to the local contractors on 'undertrial' schedule. Therefore even the convict Officer attached to a sub-jail has to content himself on an undertrial diet. Local contract rates are erratic from 44 paisa per prisoner to 122 paisa, at different places according to local conditions for the same scale of diet.

We, therefore, propose that there should be two diet contracts one for convicts and the other for undertrials.

The Inspector General of Prisons has suggested the undernoted scale of diet which would not only remove the present monotony and imbalance of the prison diet but shall also add to its proteinic and caloric values. In this connection it should be noted that at present

there are three classes of convicts,—A, B and C. Even the All India Jail Manual Committee has provided for this distinction. The Commission considers this type of differentiation action against all justification in penology. However, if the Government feels that the distinction should continue it should issue a directive in this respect. Otherwise, for ordinary prisoners the diet proposed above is the following :—

	<i>Labouring</i>	<i>Non-labouring</i>
1. Cereals	600 grams.	550 grams.
2. Pulses	100 „	80 „
3. Vegetables	250 „	250 „
4. Roasted ground-nut or parched gram.	60 „	60 „
5. Jaggery	30 „	30 „
6. Oil	30 „	30 „
7. Salt	20 „	20 „
8. Condiments	15 „	15 „

Total caloric value of this diet is 2,911, is for the labouring classes and 2,716 for the non-labouring classes. This scale is in conformity with the diet scale even in the Model Prison Manual, 1960 (Page 236).

In the year 1962-63, the total diet and clothing expenses, including fuel and utensils, were Rs. 8,94,000. Increase in diet schedule shall no doubt mean an additional cost of Rs. 1,00,000 to the jail budget. But this shall be adequately compensated through increased vigour and productivity of the prisoners.

The present monotony in diet should be removed by introducing frequent changes in the variety of dals or vegetables and special diet should also be given on festival days.

(g) **Canteens.**

The prisoners should be encouraged to supplement their diet by making purchases at the jail canteens. This shall give them impetus to earn more in wages. At present jail canteens exist in only Central Jails, 2 District Jails and the Model Jail. But they are not functioning properly. Firstly canteens should not be run by contractors. They should be managed by jail panchayats. Secondly, the purchase system by vouchers, as introduced in Jodhpur Jail should be followed by another jails also. Profits accruing from such canteens should go towards Prisoner's Welfare Fund. The management of this fund should be left to the panchayats and it can be utilised for improving cultural activities in the jails. Families of prisoners in distress can also be helped out of this fund. There should be a canteen in each district and Central Jail, Model Jail, Juvenile Jail and Female Reformatory and Prisoner's Welfare Fund should be instituted in all such jails.

Punishments.

A separate chapter on Punishments and Reward is being given. But there are certain aspects of punishment which have a direct bearing on rehabilitation and we propose to deal with such aspects in this chapter. The Commission feels that corporal punishment leaves a very demoralising effect on the prisoners and it need not be retained or practised in any form.

No doubt jail discipline has got to be maintained. But rewards have also to be given to encourage good conduct. Punishments, which cause subjective suffering have some significance. There are different methods in causing such sufferings to recalcitrants. In India, withdrawal of interviews or letters is a common practice. The system prevalent in other countries is :—

1. Loss of good marks or stripes that have been awarded for merit-France, New Zealand.
2. Reduction or forfeiture of earnings-Greece, Germany, Denmark, Norway.
3. Loss of right to read newspapers-14 days maximum-Sweden.
4. Loss of right to take out-door exercises Greece, Germany.
5. Exclusion from work-Denmark.

In some countries, there is a separate wing in the jail where no furniture or decoration is permitted and the system of self-punishment is in vogue. Prisoners retire to such buildings for expiation. In India on the other hand cells are used for punishment. In Sampurnanand Camps in U.P. where prisoners earn in groups and divide their earnings equally, recalcitrants are corrected through the moral forces of the group itself. We propose that withdrawal of facilities from the indisciplined may be necessary, but such punishment should be awarded by the jail panchayats. Then it shall have in our opinion greater moral force and better bearing on the prisoner.

Interviews allowed to friends or relatives is not only a privilege allowed to prisoners. It is necessary also because it makes possible his preparation for entry in the society. The prisoner should not feel isolated and an out-caste. In fact, more frequent interviews and permission to write letters are needed to bring him in closer contact with his people. It has been suggested by many crimiologists that to bring closer contact with the family and to satisfy hunger, husband and wife should be allowed to meet in a closed cubicle. But so far only Sweden has tried this method. It may be difficult to arrange this in our country due to various complications, but it cannot be gainsaid that our present system of interview in jails in Rajasthan is defective and even demoralising. A large number of prisoners sit behind an iron cage in batches and try to catch the ears of their interviewers. 15 inmates are allowed at one time; as a rule for such interviews, which are held on week days. The period of interviews and number of letters are fixed for A, B and C Class prisoners respectively.

A separate question was addressed in the Questionnaire on this subject. Only 5 p. c. of the correspondants upheld the present system as good and useful, while 95 p. c. have favoured greater frequency freedom and privacy. The suggested frequencies are weekly, fortnightly or monthly but the most favoured is the weekly interview. In case of the habituals the right to interview has not been favoured by a few. One person pleaded for the maintenance of moral conjugal relationship between husband and wife.

Ruth Shonle Cavan and Eugene S. Zemans have advocated closer contact of the prisoner with the spouse during imprisonment. According to these authors interviews reduce various tensions during imprisonment and they 'contribute to rehabilitation of the prisoners during and after imprisonment'.¹ The length of visits in jails in 19 countries of European culture is given in the table below :—

LENGTH AND FREQUENCY OF VISITS IN JAILS IN 19 COUNTRIES OF EUROPEAN CULTURE.²

Length of visit in hours.	Number of visits per month				
	less than one	One	Two	Three	More Four than four
Under one-half hour	4	2	—	—	1
One-half upto the one hour	4	5	—	—	1
One upto two hours	—	—	—	—	1
No reply.....	1	—	—	—	—
Total	19				

1. The Journal of Criminal Law, Criminology and Police Science, Vol. 49 No. 2 July, August 1938 page 133.

2. Greece did not give information on length and frequency of visits.

In Turkey only 10 minutes are allowed twice a month. France allowed one half hour once or twice a week and a longer time if the visitor lives at a distance. In the U. S. A., the most common arrangement is a visit of two hours twice a month.

However, the Commission recommends that weekly interviews of thirty minutes and two letters per week should be allowed to all classes of prisoners. Such facilities should be available on all the days of the week. Interview sheds should be improved to provide greater facility and privacy, consonant with security measures. This relates to closed institutions only. The Commission is suggesting amendments in Rajasthan Jail Manual in this respect. The recommendations of the All India Jail Manual Committee 1957-58 have been given due weightage.

Recreational facilities.

Recreation and amusements are vital for proper social education. Recreational facilities are of course provided in some jails of Rajasthan, e. g. there is a dramatic club at Jaipur, Jodhpur, Udaipur and Ajmer Jails. There is a bagpipe and Brass Band at Jodhpur, Jaipur and Ajmer. Instrumental music, hockey, foot-ball, volley ball, wrestling and sports are provided in some jails. Whatever time is available in the evenings, the prisoners are permitted to utilise the same in in-door games. But such facilities do not exist in all district Jails. It is also doubtful whether recreation is really a regular feature in all jails and whether all inmates are allowed to participate in it. Recreation and cultural programmes should form a part of regular jail

routine and monotony in jail life should be broken by arranging frequent cultural and entertaining programmes. A substantial provision in the budget should be made for encouraging such programmes.

Only 33 persons replied to our question regarding the role of the State or the non-official agencies in the rehabilitation of the prisoners. 15 witnesses want the State to bear the responsibility, 13 are in favour of non-official agencies; and 5 have placed responsibility on both. The Commission anticipates the plea that in a Welfare State, the responsibility for rehabilitation rests with the State. A discharged prisoner is like a patient released from the hospital. The patient has yet to serve the period of convalescence. In this critical period Social Welfare agencies and the Government as well should help. They should share the responsibility of rehabilitation.

Non-official
agencies.

The tiny State of Singapore appointed a Prison Inquiry Commission in 1959, after its emergence as a self-governing unit (now Malaysia). This Commission recommended creation of a Jails social service to discharge the functions of after-care for all the prisoners. Singapore Commission also recommended that a fully autonomous jails' councils be appointed, which should be responsible for the general planning direction and coordination of all the jail functions including rehabilitative, welfare and after-care aspects. It was also of the opinion that a Jail Advisory Council that would exercise a dynamic influence on the direction, control and

administration of the jails should be formed which should also assume rehabilitative role.¹ The Government of Singapore did constitute a fully representative Prisons Advisory Council, under the Chairmanship of the Minister for Home Affairs in order that jail policy and direction should not lose the benefit of public support, advice and interest, and should be oriented towards the constructive rehabilitation of offenders.

We also recommend that there should be a Jail Advisory Council with the Home Minister as Chairman and heads of the Jail, Health, Education, Social Welfare, Police Department, nominees of the legislature and representatives of the social welfare agencies and women's organisations as members. The Government should also encourage formation of District Discharged prisoner's Aid Societies under the Chairmanship of respective District Magistrates and such non-official agencies should undertake to run After-care and Shelter Homes, Work Centres, and Guidance clinics etc. These Societies should also be empowered to recommend and the appointment of non-official Jail Visitors to the Jail Advisory Council. The Secretary of the District Societies should be a non-official and should be ex-officio-non-official visitor to the local jail. He should also arrange for moral lectures, amusements, recreational facilities, social contacts and special diets for the prisoners. All applications for leave, parole, release on Probation, special remissions

1. International Review of Criminal Policy, United Nations. June, 1962 No. 19 page 13.

etc., should be disposed of by the Jail Advisory Council, on the recommendation of the Inspector General of Prisons.

In this context it should be pertinent to point out that the Commission does not favour the institution of Homes with derogatory nomenclatures. It would be better to have common Homes for destitutes, discharged prisoners etc.

The formation of local associations has also been recommended by the Social Defence Section of the United Nations, because they (a) formulate local needs in consultation with local Government and other Government services and (b) they endeavour to satisfy some of these needs by collective self-help or work-partnership with local Government or other Governmental services.

On the desirability of attaching non-official visitors to jails, only 27 persons have replied to our questionnaire. 22 were in favour and five against. The persons suggested as most suitable for the job are doctors, poets, professors, ascetics, discharged prisoners, retired army officers, local judges and magistrates, popular representatives, and social workers including ladies. It has also been desired that non-official visitors, with a powerful and persuasive personality should be appointed.

The commission feels strongly that all the persons connected with jail administration should be made fully aware of the importance of rehabilitation of the prisoners. Some prisoners in their replies to our questionnaire, have suggested that this aspect of jail administration

should figure prominently in the training of the jail officers. It has also been suggested that a Jail Welfare Officer should also be appointed in each jail.

Social Welfare
Department's
contribution.

It must be acknowledged that within its limited means the Social Welfare Department has done something for the rehabilitation of the prisoners. It has provided Prison Welfare Officers to the Central Jail, Model Jail, Juvenile Jail Udaipur and also to two District Jails. Some of these officers are good workers but they lack scientific training in social work. Mere preparation of case history or carrying out correspondence with the families of the prisoners is not the end of their jobs. They should be vested with powers to guide and manage jail panchayats; recreational activities and jail canteens. There should be one such welfare officer attached to each district jails. In this connection it may also be useful to mention the role of After-care Homes, which are maintained at certain places. In the year 1961-62, 58 released prisoners were sent to the After-care Home for men at Udaipur and out of these 22 were employed during the year. Two women were sent to after-care for Women at Ajmer. It is not known whether they are rehabilitated or not. 68 discharged prisoners were sent to After-care Home for Men at Ajmer from the Model Jail during the first six months of 1963. This shows that the prisoners if properly approached, can be persuaded to join After Care Homes. The social Welfare Department should be requested to have at least one such Home in each district and two

such homes for women in the State. The Jail staff take more interest in such Homes.

The question of classification of the prisoners was first considered by the Indian Jails Conference of 1877 which was unanimously in favour of segregation i. e. separating the worst class of offenders from other prisoners. The Indian Jail Committee (1919-20) was in favour of a separate jail for 'habituals'. Today the courts classify a convict as 'habitual' or 'casual' depending on police reports. This is not helpful at all. If the emphasis is on crime, no criminal can be cured. We have all along in our report laid stress on the social, environmental and psychological factors leading to criminal behaviour and meeting the needs of prisoners created by these factors. The classification of prisoners is important. For a proper classification it is necessary that there should be a thorough psychological, social, medical environmental examination of the offender, by a classification board. It is only then that the individual needs and requirements of the prisoner can be analysed and a preliminary classification done. But this should not be the final classification. Classification is a continuous process, continuous with the improvement or deterioration in the behaviour of the prisoner. After classification only the next step of reformation should be adopted.

Classification.

Before, however, classification is undertaken it should be incumbent upon the authorities to have a reception centre to which the prisoners should be admitted without delay. Each recep-

tion centre should have the head of the local Jail, a psychologist, and an education counsellor, a vocational counsellor, one social case worker, a probation officer and a medical officer. There should be different types of institutions for different types of prisoners and on the finding of the board only the offender should be sent to the institution suited to his needs. It should be noted that medical examination is the first step in a reception centre.

Illinois system.

During the course of our discussion, it was suggested that trial should be given to Illinois system, of U.S.A. In this system, in men's establishment the law prescribes five classes of prisoners, A, B, C, D, and E. On arrival each prisoner is placed in 'C' class, which neither confers nor withholds any privileges. After three months if his conduct is satisfactory, he may be placed in 'B' and then in class 'A'. To qualify for release on parole, a prisoner sentenced, for an indefinite term must have served the minimum time that is judicially prescribed, and also have been in class 'A' for at least three months. If he has been released on parole, the fact of having been in classes 'B' and 'A' shortens the period after which he may once again be placed on the parole list, according to a time table laid down by the law. If he is degraded to class 'D' or 'E' any advantages he may have acquired are reduced or withdrawn altogether.

According to the International Penal and Penitentiary Foundation the results of this system are satisfactory. A similar system was

applied in the Canton of Vaud in Switzerland. M. Clere has however, found that Vaud system gives rise to 'Jealousies, rivalries, smuggling, accusations of favouritism etc.' We agree that if in this system heterogeneous grouping of prisoners on progressive stage system is done, it is bound to be defective. Illinois system involves legal sanctions. The Commission is of opinion that the system of classification as indicated by us, is more suited and easily adaptable in our country and in the State of Rajasthan. Keeping in view the financial implications we know that reception centres cannot be organised in all jails. Therefore, our observations are :—

1. Classification by Courts is not a clear indication for rehabilitation.
2. It is not the crime or the number of times the offence has been committed but the criminal, the individual who is important.
3. Classification should be done by a local board consisting of the officers stated above.
4. Institutional treatment should follow only after proper classification.
5. For classification, a Reception Centre attached to each jail would be necessary.
6. To start with, there should be a Reception Centre attached to each Central Jail.

The roots of crime are to be found in the home of the delinquent.¹ The responsibility of environment and society cannot be denied. Therefore, it is erroneous to put the blame on police for manufacturing criminals. It may be that for

Role of Police in
Rehabilitation.

1. E. Glover—*The Roots of Crime*, London, 1960.

want of proper cooperation from the people and helpful witnesses innocent persons may be implicated in crimes never committed by them or it may be that due to inadvertance of police, innocents may be roped in, but to blame the police, for increase in criminality is to beg the problem. Failing to find and other reason for increase in crime figures people rush to blame economic situations or the police. Replying to our questionnaire, 18 persons including many jail officials and a police officer too, have blamed the police for increasing jail population. Six witnesses have absolved police of any such responsibility. They include two administrative officers and one jail officer. An analysis of the jail population of Rajasthan shall prove the incorrectness of the former statement.

Undertrials all over the world claim innocence. 90 p.c. of the undertrials in Rajasthan Jails interviewed by the Commission claimed innocence but convicts behaved better. 90 p. c. of them did not plead innocence. Instead, they pleaded for remission in sentence or mercy. Some of the seemingly hard cases of undertrials, which had not reached the courts, were verbally referred to the local police officers for a check up. The Police officers on the other hand complained of lack of public cooperation in their investigations. This appears to be a common complaint all over the world. The Federal Bureau of Investigations, U.S.A., has also complained of the same.¹ The Journal of Criminal Law, criminology and Police Science has discussed this

1. F. B. I. Report, U. S. 1962.

problem in its several issues. There are certain privileges in detection of crime, which police do enjoy and such privileges can be abused but if public is alive to its responsibilities, it can keep a vigilant eye and control over the police.¹

Generally Police is blamed for incriminating discharged prisoners. If there are proper arrangements for Aftercare and Shelter Homes, if District Crime Prevention Societies take charge of the discharged prisoners, if a prisoner comes out of the jail gate with sufficient savings from his wage earnings in Jail, there would be hardly any occasion to charge the police for making habituals out of the first offender.

It may happen some time that finding himself stranded on release a man may lapse to crime but the percentage of habituals in India (4-5) is much below the international average. In the United Kingdom, total number of finding of guilt in 1962 was 282, 429 out of which 69,372 males and 9,283 females were guilty of additional guilt.² The percentage of habituals in Rajasthan jails is less than 4 (1962-63).

However, it is necessary that police should have greater confidence in jail administration. It should genuinely sympathise and trust in the reformatory activities of penal treatment. It should have confidence in jails turning out socially re-inserted persons. It should help the

1. See the *Journal, Chicago*, III-51-385-440-Nov., Dec., 1960 and 52-1-73, May-June 1961. 'Police Detention and Arrest Privileges' and *Police Interrogative Privileges and Limitations*;

2. *Criminal Statistics, England and Wales, 1962 Her Majesty's Stationery Office, Sept., 1963.*

discharged prisoner in finding his moorings. Police stations should when approached, guide the discharged prisoner to non-official agencies.

We share the views of the London Congress (1960) who are of opinion "Consider that the Police in pursuance of their general duty to prevent crime, should pay particular attention to the prevention of new forms of juvenile delinquency. They should not, however, assume specialised functions more *appropriately within the field of work* of Social educational and other services."

The Commission does not subscribe to the Liverpool Police Scheme of watching the behaviour of individuals, particularly the juveniles. Police experts in England and the U.S.A. also do not favour this scheme.

We however, believe that an important role which police can play in the rehabilitation of discharged prisoners is to give them a fair consideration on release and police should have trust in the reformation carried out in the institutions.

Having provided for wages and having allowed the prisoners to support their dependents out of their earnings, little remains to be done for the support of their helpless dependents. So far as the support of uncared for children or dependents of those sentenced to imprisonment is concerned, it does not come under the purview of Jail Department. It is the look out of the Social Welfare Department. It has to provide funds and organisation to look

after such helpless or destitutes. It should open a Home or provide means of sustenance to the needy. Welfare Officers attached to prisons should report to the Social Welfare Department wherever such help is needed and secure it.

But so far as Prisoners Welfare Fund is concerned, we find that a scheme in this connection was submitted to the Government by the Jail Department in April, 1961. According to this scheme the donations or collections made from the Government by sale of ticket in jail functions, interviewers, relatives etc., shall be kept in a bank if the amount exceeds Rs. 1,000.00 and the Superintendent of a Central Jail is authorised to spend up to Rs. 500/- a year or Rs. 25/- at a time and sub-jails are authorised up to Rs. 100/- and Rs. 5/- respectively.

The main purpose for which the fund stands are:—(1) To aid released prisoners who want to start some trade etc., (2) To provide scholarship to helpless independents.

We feel that a welfare Fund for prisoners is quite necessary. Its scope of service should be widened. It should (1) help the dependents in emergencies (2) help the released prisoners for establishing the needy in life (3) to provide immediate necessities of such prisoners who are not on the wage scheme (4) to maintain the families of helpless prisoners if help is not received from any other source.

But such a fund should be managed entirely by the Jail *Panchayats* under the guidance of the Superintendent Jail and the Inspector Gene-

ral of Prisons. A welfare fund is not a beggars' bowl. We do not want the prisoners to feel that they are begging for their support. They should feel such a personal interest in the fund that they themselves should exert moral pressure on the interviewers to contribute liberally towards it. The accounts of this fund should be regularly audited by the auditors of the jail department. The operation of the funds shall be controlled by the Superintendent and the Inspector General of Prisons. Sufficient opportunity shall be given to the prisoners to supply for help in time.

Sources of income of this fund shall be:—

- (1) Donations from the public, interviewers, - Visitors etc.
- (2) Collections made from the sale of tickets after deducting the expenses for cultural programmes of jails.
- (3) Contribution of two naya pailsa per rupee from the wages earned by the prisoners.
- (4) 25 per cent of such collections contributed by the Government.

SUMMARY OF THE RECOMMENDATIONS

1. The germ of criminality enters the minds of a person at an early stage in life. The aim of custodial treatment is to remove this germ and cure the individual of his asocial behaviour. The objective of jail policy is rehabilitation.

2. Cellular Confinement should be very sparingly given when separation or observation is necessary. As a means of punishment, it

should be used in only most difficult cases, and never for more than a maximum of 72 hours.

3. Short-term sentences have no treatment value. Increasing use of probation is suggested in such cases. Short termers should be kept in entirely separate institutions. Legislature should amend the law regarding short-term sentences.

4. Progressive Stage System in which the Prisoner has to pass through a series of tests in jails is also not very helpful in social re-insertion. The real progress lies in the system of personal progress based on active efforts of the individual prisoner.

5. Rehabilitation is possible only through a trilogy of prison treatment, i. e., Education, Discipline and Individual Attention. This leads to social results and brings self respect in the asocial person.

6. Parole or Ticket-on-leave rules are very helpful in rehabilitation. The present 'Leave' rules are so defectively worded that the convict can get advantage of it only at the fag end of his sentence. Leave for one month every year should be allowed after serving one third of the term, with remissions, in convictions for 3 years or more.

7. Certain erroneous concepts of leniency or favour to the prisoners are also harmful. Remission for 'good work' in the factory or essential service is advantageous for pre-mature release but the released person may not be mature enough for entering social life. Remuneration for work is more helpful to the prisoner.

8. Rs. 5,000/- should be provided each year for purchase of new books for jail libraries and one teacher should be given to each district jail and two to each Central Jail. There should be an educated-Convict Overseer in all sub-jails. Reading and writing material should be provided in jail budget.

9. Adequate funds, i. e. at least Rs. 250/- should be provided to each sub-jail and Rs. 2000/- to each district jail for the purchase of Medicines and there should be one whole-time Medical Officer and compounder for each district jail.

10. The caloric value of diet for 'C' class labouring and non-labouring prisoners should be increased from 2,400 to 3,000 for the former and from 2,000 to 2,500 for the latter.

11. All institutions, excluding sub-jails should have a Canteen run by the jail *Panchayats* and each such jail should have a Prisoners Welfare Fund. Families of prisoners in distress should be helped out of this fund.

12. It is better to have no corporal punishment in any form or shape.

13. Prisoners should receive 'Rewards' for stimulating good conduct and in lapses, such rewards may be withheld or withdrawn. Jail punishment may be necessary for indisciplined but the award of such punishment be left to *Paramarsh Samities* in jails.

14. Greater privacy and facility to interview relations and friends be permitted. One inter-

view of thirty minutes duration and two letters should be permitted each week on any day in the week. This shall bring closer contact with family and friends. This rule should relate to closed institutions only.

15. Recreational activities should be regular and introduced in all district jails. A lump sum provision of Rs. 5000/- in the jail budget should be made for encouraging such activities.

16. The responsibility of rehabilitation should be shared by the State and non-official agencies, both. There should be a Jail Advisory Council with the Home Minister as President. It should be the final appointing authority for non-official visitors, and disposal of leave, parole and probation applications. There should be a district discharged prisoners society in each District and non-official visitors should be recommended by such societies. Non-official agencies should also run After care Homes, Shelter Homes, Guidance Clinics etc., and they should provide all facilities to the discharged prisoners.

17. In cases of serious domestic problems or illness requiring immediate release, Superintendent of Jail with the approval of the District Magistrate may recommend to the Inspector General of Prisons, who may release the prisoner on parole for not exceeding ten days.

18. Social Welfare Department should be requested to open After Care Homes in all

districts and Jail staff should take active interest in encouraging prisoners to join such Homes. The Commission is not in favour of entrusting After Care Homes to Jail Department. Jail Welfare Officers should be vested with powers to organise and supervise Jail Panchayats Canteens and recreational activities along with their present duties. One such officer should be attached to each district jail.

19. The classification of prisoners done by courts is generally not helpful in rehabilitation. Jails shall have to adopt their own system of classification. The system has been laid down in the chapter. Treatment should begin after classification and there should be a reception centre at each Central jail in the State.

20. The Commission does not agree to keep "A", "B" or "C" Classes of prisoners. However, the Government may issue directives in this respect. Diet schedule for nearly 3,000 caloric value is given in the chapter.

21. A prisoner's Welfare Fund should be maintained and managed for by the Panchayats. Rules in this respect have been laid down in the chapter.

22. No separate hospital for jails is needed but there should be a separate wing attached to some Central Jail to keep T. B., Leprosy, Lunacy and Maternity cases. This wing should serve the need of a separate hospital for all

jails. Such a wing would be necessary if a separate wing is provided to the jail department by the specialised Institutions of the Medical Department.

23. Police cannot do much in the sphere of rehabilitation. But it must have greater confidence in the reformatory activities of the jails. A discharged prisoner is mostly a cured citizen.



सत्यमेव जयते

CHAPTER VIII

EDUCATION OF PRISONERS

According to Confucius, ignorance and stupidity are two chief causes of crime, which makes education an important means of crime prevention and correction. There are, however, two broad conceptions of education. One, that education is to stimulate the self-development of the individual and, therefore, what Whitehead calls "Dead knowledge" or "Dead Ideas" by which he means mere information and facts, have no place in it. The second conception is that education is meant to enable the individual to perform the various offices or functions in the society, to train him as salesman, manager, carpenter etc.

But no where is the need of combining these two conceptions of education greater than in the case of delinquents and prisoners. That is, the purpose of education in correctional institutions is two fold : making the deviants good citizens and training them in things, which include arts and crafts, which help make one a good citizen. The prisons should be schools, though in the very nature of things, they have to be somewhat different from ordinary schools in matters of organisation, administration, curricula and teaching methods etc. For the education of criminals presents special problems. Firstly, they are no ordinary students;

they carry a stigma, which reduces their receptivity. Secondly, the time at their disposal is very short and also, different prisoners stay for different periods in the correctional institutions. And thirdly, the educational needs of all prisoners are not the same, in spite of the fact that they may be sharing some traits in common. This is why aptitude tests are of utmost importance in the case of prison inmates. Another important point to be kept in mind in this regard is that in view of large-scale unemployment in the country, the prisoners have to be trained primarily in various arts and crafts like carpentry, tailoring, black-smithy etc. This shall enable them to stand on their own legs without much loss of time after their release, which is important in view of the major role played by poverty and un-employment in the causation of crime and delinquency in our country.

In all central jails and first and second class District jails, there are convict teachers to help regular teachers. These convict teachers (a prisoner trained as a teacher) are specially trained for this purpose in the Model Prison, Lucknow. Some Jails even have separate buildings for educational purposes. The prisoners are also getting daily newspapers and periodicals to read.

Correction is basically an educational process. A Criminal who has learnt anti-social patterns of behaviour and has fostered anti-social attitudes is to be changed to develop socially acceptable attitudes and patterns of behaviour. If it is not education, then what is

it. Gandhiji considered all behaviour modifying experiences as education and to him the process of education continued from birth to death.

Correction aims at personality modification, training and development to a desired goal. This desired goal is nothing less than socialisation of the personality. Education is a recognised means of personality change and has been employed since long in almost all countries of the world, but its full potentialities in the total treatment process have not been explored. When such an accepted institution as education has not been able to scientifically establish its claim as personality modifying instrument, how can he expect correction, which is still in its infancy, to make this claim? Even the wisest correctional worker would fail to point out the process of reformation. This is partly related to the lack of understanding of how a person becomes a deviant. We know, under such and such remedial conditions a deviant person can be helped to become a socially conforming person

Education, we believe, tends to raise people higher and make them good citizens. Education is what it is every where, its details, plans, contents and procedures do change with the people who are changing. The generic principles and objectives of education are the same as are generally in our society.

The educational principles in correction need to be understood in the context of the setting so as to visualize them in a reality

situation and only then we can conclude as to how to put them to work in institutions for children, adolescents and adults.

Educational facilities are by and by available in Indian Jails and other correctional institutions. About 80% people in India are illiterate and the proportion of illiterates in Indian Jails, if not higher, is in no way lesser. No, reports of prisons deal with the educational level of the prisoners. Rough estimates of education among the prisoners are made from time to time. Offenders below the age of 14 years generally are not given any work except cleaning and gardening and this work they do only for half the day. For half the day they study in jail School. Most jail schools have only one or two teachers who teach children to read and write, Present Programme

In children's specialised institutions like Reformatories and Certified schools educational classes are run and the school time is divided half and half for literary education and manual education. There is no 'labour' in the prison sense of the word in such institutions.

In institutions, for youthful offenders there is a similar programme of education. The manual training classes also exist. The same text-books are used and the same standards are enforced in educational classes in correctional institutions as in other outside educational institutions.

In prisons for adults some facilities for normal education do exist. Some persons

who want knowledge of 3 R's join the school in extra hours. In some jails a system of moving teachers was also attempted with remarkable success. The educated prisoners were mobilized to move from place to place in the jail with some Primers and Slates to teach reading and writing to prisoners at their places of work. This was further taken up with them in their barracks at night. Quite a number of inmates became literate.

For social education and health instructions, lectures and discourses are also organised. Film shows are arranged once in a week. The facilities are so limited tools and equipments are so inadequate, and the effort is so half-hearted, that no positive results can be expected. It is seen as a luxury, fantasy and waste.

The conditions of prison institutions for mentally sick are all the more unsatisfactory. In some states mentally sick prisoners are placed in mental hospitals and this is done in Rajasthan too, but all the mentally sick prisoners cannot be accommodated in the mental hospital and the result is that such mentally sick persons are given little or no opportunities for their self-improvement.

Prisoners' education in all the 60 correctional institutions of Uttar Pradesh includes three broad schemes: adult education, social education and education for juvenile offenders. Adult Education programmes assume a role of lateral transmission of knowledge both in the

field of technology and liberal arts. Adult education for grown up offenders does not mean continuation of education to those who could not pursue their studies in pre-adult stage due to economic or social barriers of life, but to enable the adult inmates to imbibe the values of society in a dynamic manner and help them to adjust in accordance with the needs of the community. Beginning is made with the teaching of 3 R's and intensive training in vocations, handicrafts and trades are imparted.

Social Education for adult offenders is taken as an education for life in society. It is a process to promote healthy social habits and values, with a view to facilitate satisfactory adjustment of convicts in the community. It is a truism that much of the foundations of social habits and values and reactive tendencies are laid in the early stages of growth, especially in childhood and youth and very little is left for change in adulthood. However, in a society like ours which is passing through a transitory period of industrialisation, values and habits cannot remain static. A change in the structure of society produces a chain reaction in almost all the institutions of the society and penal institutions cannot remain exceptions to it. If cultural and social variables of living are taken into account in the management of correctional institutions the process of social education may be promoted. Thus social education for convicts aims at:-

(a) maintaining the continuity of healthy influences of the social institutions and

organisations operating in outside Society and save them from social alienations;

(b) providing additional opportunities to inmates to test social values inherited from the family, the caste, the temple and the neighbourhood by involving them in the mural organisations such as Panchayat, Cooperative etc.

(c) to provide opportunities for social actions to inmates singly or in group to enhance their social functioning in accordance with the social norms of the society.

Education for juvenile offenders aims at re-socialisation of the psycho-socially alienated juveniles. Deviant behaviour of juveniles is attributed to the weakening effect of the process of socialization. A child acquires social values and learns social habits from his parents and other members of the nuclear or the joint or the extended family to which he belongs. As he grows the influence of his caste, community and religion stabilizes these values and habits and he is also confronted with another set of values of other groups and communities. At times he questions, sometimes exerts his influences and mostly succumbs. There are two correctional institutions for juvenile offenders in Uttar Pradesh, in which education upto secondary stage is provided and promising juveniles attend schools and colleges outside the institutions. Emphasis is put on their vocations and trade training which may help them to acquire meaningful status in the community on their release.

There are about 30,000 inmates in all the correctional institutions of the state, who attend 2 hours compulsory school every day with the help of trained teachers as well as trained convict teachers. It was Cardew Committee of 1919-20 which recommended that all the convicts below 25 years of age should be made to read and write and every jail should have library. During 1937-39 when the popular government was in power in the state, emphasis was put on social education and the U. P. Jail Reforms Committee of 1946 took a more comprehensive view of the whole situation.

Now the prisons of that state are in the process of becoming vocational institutions where trade skills are imparted for meaningful employment and healthy habits and social values are sought to be transformed in the personality of inmates for the purposes of their reclamation and rehabilitation with in the society on the expiry of their terms of imprisonment.

In prisons and other institutions for child offenders, adolescent offenders and adults, education should be considered as an integral part of the correctional philosophy and programme. All correctional programmes should be geared to the education and re-education of the personality of the offender. In this attempt of refashioning personality the importance of formal education, technical and vocational training, health training and social education must always be fully recognised.

A Programme of
Educational
Facilities.

Children's institutions covering all offenders upto the age of 18 years should be regarded as specialised residential institutions. They are specialised in the sense that the children in the institutions are those who have behaviour problems and also are victims of unfavourable home and environmental conditions. Most of them are otherwise intellectually normal children as the rest of children in the open society. They have a right to education like other children in the community. Educational facilities up to High School level should be available in all institutions for delinquent children.

Education for these children should be in no way inferior to education in other schools under the control of the Education Department, except that it should have a vocational bias. Manual activities give children opportunities of self-expression and also of finding an interest in future life. This helps improve institutional discipline and also gives children a feeling of dignity and usefulness. Curricula should be common with the schools of the Education Department and should be open to Inspector and Officers of that department for inspection.

For children who pass the High School and wish to undertake higher education, facilities outside the correctional institution should be availed of. Such children in a home or certified school have behaviour and emotional problems and it is highly essential that these children be given proper education and adequate personal guidance. Social case workers trained in the

art and science of social work should be appointed for the purpose. Such delinquent children have problems in accepting social values and their problems can be appraised in recreational and group situations. To improve the group life and to provide children with healthy group life in the institutions group work services should also be organised under the supervision of trained group workers. Group work today is an important method of social work and is to be practised effectively in a correctional institution by trained social workers. A large number of inmates of an institution may not like to continue education for lack of interest beyond middle or High School standard. They may be encouraged to take up vocational, occupational or trade training. It is suggested that with one of the juvenile correctional institution a vocational training centre of the Industries Department be attached and the standard of training and curricula must be the same as for other industrial centres. If all seats are not filled in by the inmates of the institution, the rest be made open to other children from the community.

Quite a number of juvenile offenders are found backward, intellectually limited and even handicapped. Remedial education should be arranged for such children. In addition, they may be given case work services and be encouraged to come to the level of normal children. For such children specialised institution will have to be organised.

For young offenders a programme different in character and emphasis will have to be planned. All the formal schooling is neither

possible nor desirable. Only such children as have a flare for education should be encouraged to continue further studies. In the case of others education will be more for citizenship and rehabilitation. Much time and effort cannot be spent on literary education and at the same time they cannot be allowed to remain illiterate. So a programme differing according to the needs of different groups will have to be formulated and implemented.

Some may require knowledge of 3 R's other may have it already at a satisfactory level. All inmates should be encouraged to acquire knowledge at least upto the middle standard as education upto that standard is quite generic. It must aim at the development of the basic personality that is expected to be developed as the basis of a sound social order. Secondly, specialised classes may be conducted for those who have some specific interest like classes in scientific pursuits, commerce, art, science, drama etc.

What is more important is to train them for some vocation. Vocational and occupational training facilities should be provided for inmates of adult institutions. A training-cum-production centre should be attached to each institution and institutions can be specialised on the basis of vocational and industrial training.

A very strong programme of social education should be organised to modify the attitudes, (patterns) of behaviour and modes of thinking of these young persons. They are persons

whose attitudes and habits have come to be formed in an anti-social way. The old habits have to be given up and new habits and attitudes are to be learnt. The previous attitudes and habits learnt by living under unfavourable circumstances have to be weaned and new and acceptable attitudes, habits, and behaviour patterns have to be imbibed. The community life of the institution will have to be consciously organised in a democratic way and group work and community organisation method have to be utilised to achieve success. An intensive programme of adult education literacy, health, citizenship, a scientific education and vocational training will have to be built up. Both professional workers and volunteer prisoners should be mobilized to execute the programme.

For adults above the age of 30 years nothing substantial in terms of literacy and vocational education can be taken up. They are too mature for schooling and re-choosing their occupations in life. For them we can only strengthen what they have. For this a multifaceted social education programme is of utmost importance.

We need to clearly and definitely understand the essential factors on which depends the effectiveness of the educational system in modern correction. These are the setting of the institution, concept of education, scope of the programme, social education, educational personnel standards, buildings and equipments

Essential Factors.

and library service. We need a special discussion of these essential requirements.

Setting of the
Institution.

Broadly speaking, every living experience is educative and all men living in an institution do acquire some sort of experience, and it is another consideration whether this experience as a whole is constructive or unwholesome. The influence may be slow or quick depending upon the receptability of the person and the appeal that the institutional life makes to persons therein.

Modern progressive institutions try to shape and direct all activities and all personnel towards the goal of preparing men for eventual release. The things the inmates do the kind of work and recreation they engage in, the associates and companions they select, the facilities they receive for solving their problems of within and without, experiences they get in group living, the experience they have of regulations which may be tension producing or helpful all these help to produce the final human product which is returned to the community.

An educational programme to be successful must have its basis in a properly organised life of an institution,

Scope of
Programme.

The programme should be comprehensive, suited to the age, temperament and needs of the particular people for whom it has been chalked out. The objectives of the participants

must always be kept in mind. Nearly all institutions can undertake some or all of the accepted forms of education-literacy, general, vocational, technical, social, physical, religious, musical etc. To these should be added courses on pre-release, Pre-Parole, orientation, and special courses for physically and mentally handicapped persons.

The programme of education in an institution should be comprehensive, and integrated with the rest of the institutional activities, and such a programme is bound to pay dividends.

Most of our learning takes place in active living, but organised education has some elements which must be recognized and must be inherent in a system or programme of formal education. These are defined objectives, suitable physical equipment, recognised and suitable courses of study, professionally trained staff, a method of measuring and recording achievements (evaluation) and a guidance service. No educational programme can be successful and complete in the absence of any of these elements.

Meaning of organised education.

To a great extent the quality of any educational programme depends upon the teachers who execute the programme. Best results are likely to be achieved when competent and qualified teachers are employed. The number of teachers employed and their qualifications will depend upon the task at hand. Standards should be the same as in educational institutions outside. Salaries and working conditions should be such as to attract high grade men.

Educational Personnel.

In addition to their education and professional equipment they should be emotionally, stable, agreeable, possessed of good judgement and should be interested in working with the challenge of delinquent behaviour. A very important tool of education with a teacher is his personality. The inmates by association can learn many patterns of behaviour and values and can develop interests which in the absence of the personality of the teacher cannot be developed by any tools, equipments or books. Frequent association of delinquents with men of intelligence, learning and balanced behaviour is one of the recognised means of producing personality changes in them.

For a variety of reasons such as technical or financial the required number of teacher may not be available. Some of the inmates who are educated and in addition command confidence and respect may be carefully selected as helper teachers. They should work directly under the supervision of regular teachers. Such helpers should be very carefully selected. The aim of education is personality education and socialization of the inmates by personality association. Volunteers from outside for health, citizenship and moral education be invited to talk to the inmates,

Building and
Equipment

Building used for general education and technical education should conform to the specification for class room planning. The class rooms should be properly arranged and equipped so as to create a class atmosphere. These should be so located as to be easily accessible

in the day time and at night custodial factors should not limit the class work.

For vocational training adequate buildings are necessary but these should not be near the residential wing. Equipment for vocational training must be up-to-date and out-moded methods of training and tools must be discarded. Adequate scientific and mechanical equipment should be made available.

Self study should be encouraged by providing adequate light and seating arrangements in barracks.

Libraries play a vital role in the scheme of education in correctional institutions. We have described the position of libraries in jails of Rajasthan. They are as much in name as in most of the jails in India. Jail libraries should be expended and suitable variety of books should be provided. If possible, there should be a whole time librarian who should not only look after the books but organise programme for the extended use of the library. Contacts should be maintained with local public libraries for providing useful variety of books. Library

SUMMARY OF RECOMMENDATIONS

1. The purpose of education in correctional institutions is to make the deviants good citizens. Correction is basically an education at process. It aims at personality modification.

2. Children's institutions, covering all offenders upto the age of 18 years should be regarded as specialised residential institutions.

3. Those who do not like to continue their studies beyond middle class, should be encouraged to take up vocational training. It shall be better to attach a vocational training centre of the industries department to specialised institutions.

4. It would be better to have a separate institution for mentally and physically handicapped children.

5. For those adults above 30 years of age, a multifaced social programme is very necessary.

6. The success of educational Programme depends on competent and qualified teachers. Educated inmates who enjoys confidence of the prisoners may also be utilized for the purpose.

7. Class rooms should confirm to such specifications and self-study should be encouraged by providing adequate lighting and seating arrangements in barracks.

8. Jail libraries should be properly organised. Contacts should be established with local libraries. As far as possible, there should be a whole time librarian.

CHAPTER IX

JAIL INDUSTRIES

All the witnesses, who have appeared before the Commission or have sent written statements are in favour of organising useful and gainful industries in the jails of Rajasthan. The value of Jail Industries as suggested by our witnesses, should be rehabilitative.

Industries in Rajasthan jails, at present can be classified in four sections :—

1. Textile and subsidiaries.
2. Tannery and Foot-wear.
3. Smithy-Tin Smithy.
4. Carpentry.

Most of the training is limited to handloom and its minor branches, viz., Dyeing, Durries, Carpets, Ambar-yarn, Fine Tape, Newar, Do-suti, Rexa cloth and Bed-sheets. All of these are classified under one group viz., textiles.

The total convict population of Rajasthan jails for the year 1962-63 was 12,730 and the average daily prison population for the same year was 4,881 as against an average daily prison population of 4,668 in the year 1961-62. According to the latest report received, Madhya Pradesh jails had a daily average of 5120 convicts in 1959. It was 19,037 in Madras in 1961.

Prison population.

The total expenditure on the Jail Department in the States noted above was as follows :—

State	Year	Expenditure	Income	<i>Rupees</i>
				<i>Expenditure Rough average per prisoner.</i>
Madras	1961	1,22,87,770	38,82,119	436.04
Madhya Pradesh	1959	38,85,109	41,002	487.40
U. P.	1960	1,24,66,662	9,50,248	351.00
Rajasthan	1962-63	36,99,771	7,42,000	297.92

It is apparent that Rajasthan Jails, with an average of 2,600 convicts daily population for 12 jails have earned Rs. 7.04 lakhs in 1962-63 from industries as against Rs. 41,002 in 1959 and Rs. 1,39,669 in 1958 earned by an average daily convict population of 5,320 in Madhya Pradesh and Rs. 9.5 lakhs by 24,000 daily convict population in Uttar Pradesh Jails in 1961-62.

It shows that inspite of the meagre manpower available, Jail industries have not been neglected in Rajasthan. Jodhpur, Jaipur, Udaipur, Bikaner, and Alwar Jails have built up a tradition of quality manufactures in durries, carpets, shoes etc., and their products enjoy a good market and wide reputation.

The total income from Jail Industries in Rajasthan was Rs. 7,42,011 in 1962-63 and Rs. 6,99,681 in 1961-62. These figures indicate

the actual amount deposited in the treasury. Industry-wise production and the cost of product during 1962-63 was, on the other hand, as follows :—

<i>Articles</i>	<i>Quantity in Sq. Yards</i>	<i>Value in Rupees</i>
Cloth	2,35,024	3,26,655.00
Durries	54,042	3,52,189.00
Carpets	971	52,468.00
Newar & Tape	5,161	30,555.00
Misc. (Including leather industry)		3,32,109.00
Total		10,93,976.00

In 1962-63 a total of 5,36,363 labourers (Prisoners) were employed in jail industries as against 4,60,514 in the preceding year. In 1962-63 the daily average of workers engaged in industries was 1818. The convict population of Rajasthan for 1961-62 may be split up in the following manner :—

	<i>Period</i>	<i>Number</i>
Male Convicts	1 to 3 years	1457
Male Convicts	3 to 10 years	861
Male Convicts	above 10 years	56
Male Convicts	Life	369
Female Convicts		182

Progress in jail industries shall depend on the convict population. Shrinkage in population shall adversely affect the industries already developed in the jails. To quote an instance, in

Distict Jail, Bikaner, the value of manufactures was Rs. 48,887 in 1961-62 as against Rs. 54,756 in 1959-60. This was due to the fact that in 1959-60, the daily average of convicts sent to the factory was 132 as against nearly 102 in 1961-62. Thus the fall in convict population was responsible for the fall in earnings of the jail.

On the other hand, with increase in the number of convicts employed in jail factories and better management, profit and production also increased in Jodhpur Central Jail. In 1961-62, total number of labourers engaged in industrial production in that jail was 117 and 97. It went up to 123,248 in 1962-63. Total cash and credit sales during these years amounted to Rs. 204,632.74 and Rs. 544,926.99 respectively.

Then there is the example of Udaipur District Jail where even without any actual increase in the number of convicts engaged in jail factories, production went up due to efficient management and economic handling of the work. Total number of convicts who gave full task in the jail in 1962-63 was 21,866 as against 16,106 in the first seven months of 1963-64. The value of total production during this period was Rs. 90,681 and Rs. 58,314 (seven months) respectively.

All India Khadi and Gramodyog Commission has been pleading with the jail department all over the country to adopt Ambar Charkha and Khadi weaving in jails. It is claimed that such

village industries need little man-power but at the same time they possess all rehabilitative values. These industries were introduced in Jaipur, Ajmer and Udaipur Jails with some success. Jaipur Central Jail employs 100-125 prisoners under this scheme.

Raw material i. e., cotton is supplied by the Kendriya Sarvodaya Sahkari Sangh, Jaipur. It is carded in Jaipur jail which manufactures Ambar Yarn, Khadi cloth, durries etc. Payment at the rate of 0.12 P. per gundi of spun yarn is credited to the Government treasury. For one than of $12\frac{1}{2}$ metres, an amount of Rs. 6.0 is paid as weaving charges. The working results for the 1962-63 are as following:—

<i>Convict Labour Employed</i>	<i>Work</i>	<i>Cost of Labour</i>
Spinning 32050	1,19,934 gundies	18,749 credited to Govt.
Weaving Khad	17,449 Sq. metre	8,273 „ „

This industry is useful to the undertrials as well. Without any expenditure to the State, it pays 12 P. per gundi. But some of the undertrials and female prisoners told the Commission that it is an irksome job and hardly of any use to them on release. On an average 20 undertrials were employed daily on Ambar Charkhas and they earned Rs. 365.98 P. during 1961-62. It is a point for consideration whether an industry of this type with such small earning and little employment potential continue in the jails of the State.

In order to assess the present industrial productions in the State jails, it would be necessary to acquaint ourselves with the costing procedure of the jail products.

As we have stated above each prison in this State has a history of its own. What used to be a Central Jail during the days of a Ruling Chief is now a 3rd Class Sub-Jail. After integration of Rajasthan, for some years, a confused system of jail management continued. The same was the case regarding industrial production. For the first time a "Factory manufacturing Guide" was issued in 1955. A new system of costing was introduced in 1953, which was revised at times according to the fluctuations in the cost of raw materials. An ad-hoc increase of 3 p. c. to 8 p. c. in the prices of jail products has been introduced from 1st February, 1963.

According to the new costing System, there are two categories of workers, skilled and unskilled. The former consists of workers employed in industries in which machines are used. Under this classification even handloom is a machinery. Workers engaged on auxiliary works of machineries are also put in the same category. The rest are unskilled workers. A skilled labour is charged at the rate of rupee one per unit and as there is no depreciation on non-machinery work, unskilled labour is charged at 75 P. per unit. Twenty five paisa are charged for depreciation and 50 paisa for maintenance. In jail-to-jail supply, the cost of maintenance is not charged. The costing of jail products includes the cost of raw material plus the

charges given above. The cost of finished jail goods in U.P. jails is 57 p. c. over and above the cost of raw material, 44.33 p. c. in Madras and only 40.5 p. c. in Rajasthan.

In the year 1962-63, 700 convicts of Central Jail, Jaipur earned Rs. 810.55 P. as wages. Eighteen convicts of Central Jail, Jodhpur earned Rs. 30.64 P. and 826 convicts of Ajmer Model Jail earned Rs. 2769.25 P. as wages. In 1962-63, the average number of convicts sent to Factories at Jaipur and Jodhpur Central Jails respectively was 563 and 455. Trade-wise employment of workers in Jaipur Central Jail in 1962-63 was on an average 151 per day.

The wage scheme has been applied to only these three closed prisons. The schedule of wages is different at Jaipur, Jodhpur and Ajmer. At Jaipur and Jodhpur Central Jails, after completing the scheduled task six paise is paid to each worker, who does 25 per cent over and above the scheduled task and double the amount is paid if the extra task is 50 per cent more than the scheduled task 19 paise for 75 per cent and for 100 per cent extra work over the scheduled task, 25 paise paid as wages to the workers.

Extra production varies in different articles. In early months of 1963, 60 workers were engaged on Durrie manufacture in Jaipur Jail. Only 15 workers did 25 per cent extra work and they earned 25 paise per day. It was credited to their account. In cloth weaving and carpentry work shops, 100 workers were engaged. 40 out of them did 50 per cent extra work over the scheduled task. Tailoring industry was started

in April, 1963 in Jaipur Jail with 45 workers and 42 Sewing machines. Only fifteen out of these 45 workers could do 50 per cent extra work over the scheduled task. Ten workers in the Canning section of this jail could reach 70 per cent over and above the scheduled task.

Most of the prisoners do not prefer to do extra work. It may be because the scheduled task fixed for them is beyond their capacity or it may be due to sheer laziness on the part of the workers. It may also be so because payment for extra work is almost nominal. The Factory Manager is inclined to believe that if the wages for extra work is increased, production of the factories in the Jails shall also increase, at least by 75 per cent. Malingerers from factory work shall cease to find excuses to shirk work and they too shall find a positive allurements to labour. The Commission is inclined to agree with the Factory Manager of Jaipur Central Jail. However, the wage scheme at Jaipur Central Jail has given results. The number of convicts sent to factory in 1961-62 was 147,412 and 168,922 in 1962-63. Full task was given by 105,530 and 125,065 workers respectively. Total output increased from Rs.233,489 to Rs. 278,725 during this period.

Calculation of
wages.

The question arises as to how the above wages have been calculated. The Public Accounts Committee of the Rajasthan Government made the same enquiry in the year 1956 and at that time a Note sent on October, 4, 1956 explained the position thus :-

(a) No further increase could be made in the labour charges even though such labour charges are required to be raised to Rs. 2.25 P. for skilled workers and rupee one for the unskilled workers.

(b) Maximum strength or capacity to make each factory profitable may be explained thus :-

For Jodhpur Central Jail 410 workers are needed (1956). After deducting Sundays and jail holidays, there remain 295 working days, (Now it is 300). As such at the rate of 410 convicts per day, total number of 1,20,950 workers should be normally put to work each year. Out of this number, nearly 90,686 can be put to full task labour as 30,264 shall be learners. In Jaipur Central Jail, 400 full task labourers are needed each day.

In October, 1962, the Inspector General of Prisons recommended to the Government that those workers who do one hundred per cent extra work over the scheduled task, that is double of the required task, should be paid @ one rupee per day as wages instead of 25 paise paid for the same at present. Thus the payment would be as per costing schedule. The Inspector General of Prisons made this proposal because he was convinced that the workers, who do not work for more than 6 hours, shall get the real incentive to work and produce to their full capacity. He feels that "Extra" work demanded on pro-rate basis is not a scientific process. The worker must give full quota of work during fixed hours like free labour if he is given proper incentive to do so. If wages

are to be paid at the market rate, the task-load should also be the same and in case of lesser work, proportionate amount be paid to them. The same is the opinion of the Director of Jail Industries.

Factory
instructors.

The progress of jail industries depends on the teaching personnel i.e., the technical officers who take work from the workers and organise the manufacture. It appears that little attention has been paid to this factor.

Though the Director of Jail Industries is required to guide and organise the industrial education of the jails yet, he holds the rank of a Deputy Superintendent only. Thus he does not enjoy the status to have effective control in the matter relating to industries, control in the jails having Superintendent as in-charges. The "Managers" in jail factories are qualified officers but they do not find the emoluments alluring. Many have left jail services for better posts. A communication in this respect was sent by the Inspector General of Prisons, in November, 1958 to the Government.

"Because of the low salary, the incumbents employed on the posts of factory managers leave the jail department for joining industries department...."

The following pay scale was suggested by the Inspector General of Prisons for the technical staff :—

(a) Factory Manager Rs. 150 10 250-12½-350.

(b) Asstt. Factory Manager : Rs. 110-5-135-10-225.

After the Report of the Rawat Committee (Pay Committee in which nothing was done for these Managers), the Inspector General of Prisons again sent a note in March, 1960 : "The Revised pay rules, 1961 as per decision taken on the Report of the Rawat Committee have been published and the scales given therein for the Director of Jail Industries is scale No. 21 Factory Manager No. 16 and Assistant Factory Managers No. 11. These posts being of highly technical nature and looking to the enormous nature of work and responsibility, their pay scales need to be revised suitably on the basis of the recommendations already made.

"The responsibilities and duties of the Director of Jail Industries, Factory Managers and Assistant Factory Managers are much more than that of the duties and responsibilities of the Deputy Director Industries and Supplies or Manager Industrial Estate or Instructor, Hand-loom, whose grades are in scales No. 28, 19 and 16 respectively.

"As such the grades of these three posts may kindly be revised suitably on the basis of this office recommendations already made in this connection."

After having given an appreciable picture of the present state of industries in Rajasthan jails, we would like to give an example of the high possibilities of jail industries, even with limited rehabilitation of prisoners, high wage schedule and reasonable profits to the State, Federal prisons of the United States of America have set a new record. Prison Industries in

Possibilities.

the U.S.A. Federal prisons are organised under a Prison Corporation, writes its latest prison report: "Thirty years of Prison Progress"-Page 19:

"In 1934 the Institutions' Industrial enterprise were reorganised as Federal Prison Industries Incorporated. The Corporation operated as an integral part of the Bureau of Prisons and the Board of Directors included representatives of labour, agriculture, industry, the consuming public and the Department of Justice. The Board's policies established a diversified range of industries, offering a practical approach to vocational training of Federal prisons.

"A cotton textile mill at Atlanta and a shoe Factory at Leavenworth were in operation. Other factories were installed throughout the System. A garment factory at the Alderson reformatory, brush factories at Alcatraz and Leavenworth, prints at Atlanta and Leavenworth, and a modern machine, dye and tool shop at the El Reno Reformatory. By World War II the corporation was running 21 industries and had an average of 3,421 inmates employed daily. Annual sales grossed 5½ million. It was financing vocational training programmes in all Federal Prison".

Prison industries
in wartime-U.S.A.

"The Corporation expanded rapidly during the war. Shops and factories were converted and soon produced bomb-file, gun brushes and other articles for national defence. As early as 1941 nearly 95 per cent of the corporation's output went to Government agencies directly involved in the war and land-lease programmes.

The work-week increased to 48 hours and inmates were paid overtime for all work over 40 hours. Many of the factories and shops went on double shifts; some operated round the clock.

"But Federal Prison Industries did not neglect training and rehabilitating inmates. In 1940 the Aeroplane Mechanics School, perhaps the most successful and ambitious vocational training enterprise in the history of corrections opened at the Chillicothe Reformatory. Aeroplane engines and air-frames were secured from the Army Air Force. The demand for trained graduates for this School continued upto the post-war years as the commercial airlines multiplied and expanded, and private companies and individuals purchased their own planes.

"A placement Director was appointed by the Corporation to coordinate vocational training with outside industry needs, placing emphasis on field, where there was a shortage of skilled workers. A widespread need for welders established welding as a major vocational training activity throughout the prison system. The Corporation hired employment placement officers for Atlanta and Chillicothe, and later for other institutions. These officers had immediate success in placing released inmates in jobs directly or indirectly related to their training and employment experience in the Federal Institutions".

"By 1960 prison Industries was employing 4500 inmates and paying them average wages of 32 dollars a month. It was spending nearly 800,000 dollars a year for vocational training and 320,000 dollars for inmates' meritorious compen-

sation. In 1960 it paid the Treasury three dollars million dividend for a total of 43 dollars-millions since World War II".

Vocational Training and Progress of Industry in the U. S. A.

It has been very correctly said that "No single phase of life within prison walls is more important to the public or to the inmate than efficient industrial operations and the intelligent utilization of the labour of prisoners". ¹ Yet the fact remains that prison industry has remained neglected for centuries in India and abroad and "exploited at heavy monotonous tasks or condemned to the equally vicious punishment of idleness". ².

It was realized by the Governor of the State prison of Massachusetts in 1891 that "Profit is no longer the main reason for the employment of prison labour but the reformation of the prisoner by teaching him to become an efficient workman takes the first place" ³.

Prison industries for training, not profit, seems to be the present emphasis in the United States of America. With vocational training as goal (the goal of vocational training is a job outside the prison) the American Federal System had 372 vocational training courses in 1953 and thirty or more industries are available to modern correctional systems. Vocational training include (1) radio and television servicing (2) typewriter repair (3) airplane engine

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1. *Planning the Building and Equipment for a Sound System of Correctional Industry, Chapter-16 "Hand book of Correctional Institution, Design and Construction"* U. S. A. Bureau of Prisons, 1949,
 2. *The functions of an Industrial Programme in a Penal Institution. A Warden's XXX viewpoint*-Clinton T. Duffy-(Cal.) A. P. A. 1947-pp. 158-160.
 3. *Report of Commissioner of Prisons, 189-pages 30-31* (U. S. A.).

mechanics (4)cooking and baking(5)construction (6) wood-working trades etc. Rosenberger's recommendations regarding a job analysis of the inmate jobs in the industry and maintenance departments, classifying jobs in terms of skill, custody, intelligence, education, and special attitudes, have been adopted by the Government of U.S.A. ¹

The result of such a planned programme is that nearly 24 per cent of the 17,000 average daily Federal prison population was employed in industries (Report 1951), 22 p.c. on jail services like clerks, runners, janitors etc., 18 p.c. on farms and in food preparation and serving, 11 p.c. in maintenance of shops,mechanical services etc., 8 p.c. in hospitals and education, 5 p.c. in construction and 12 p.c. un-employable i.e., sick or infirms.

During the fiscal year 1953, Federal Prison Industries, Inc. sold over 21 million dollars worth of goods to Government agencies and paid wages to inmates of a little more than 1 million dollars (Annual Report Fiscal year 1953-54). Gross annual income from sale of prison products in 48 states for the fiscal year 1953-54 amounted to 58,263,296. ². State patronage to prison industries in the U.S:A. is evident from the fact that only 14 States sold their products to the market otherwise all purchases, were made by the Government. Federal Prison Industries, Inc., which operates industries in

1. *Ralph H. Rosenberger (Minn), A, P, A., 1946-pp. 125-132.*

2. *Correctional Research, United Prison Association of Massachusetts, Bulletin No. 6, April, 1955-pp-5-6.*

all Federal Penal and Correctional institution's has consistently shown an annual profit out of which it has paid, since its inception in 1934, 24,500,000 into the U. S. Treasury. (Annual Report, fiscal year 1953).

In the United Kingdom.

Daily average population of prisons in 1959 in the U. K. was 19,233 (573 women)—12.6 per cent under 6 months, 15.4 per cent for 6 months and less than 12 months and 71.7 per cent for 12 months and over. 11,205 prisoners were employed in manufacturing, 317 on outside work, 836 on farms, 1,846 for work services, 5007 for domestic services and 720 for vocational and industrial training.

The purpose and value of work in prisons has been laid down by the Home Department as following :—

“We believe, first, that the fundamental reasons why prisoners should work is that every person should make the best contribution he can to the community; secondly, that suitable work, if properly organised, is a most valuable part of a prisoner's training, and thirdly that prisoners represent a considerable labour force which ought not to be wasted”.¹

1. *Work for Prisoners-H. M. Stationary Office, 1961--Page 7, (Report of the Advisory Council on Employment of Prisoners).*

The Advisory Council on Employment of Prisoners¹ has made two major recommendations in this respect. It has said that "Prisoners" working hours must be increased to what is normal in modern industry. Without this or something near it suitable work can do little or no good". Secondly, frequent changes in the work given to prisoners should not be made.

Some of the industries recently introduced in British prisons are (1) Mail bag manufacture (2) Mail bag repairs (3) Heavy canvas works (4) Tailoring (5) Needle work (6) Weavers (7) Knitters (8) Foundry work (9) Blacksmithing (10) Printing (11) Wood work etc.

At the end of 1961, training in 80 subjects including (1) Horticulture (2) Radio and Television (3) Electrical installation (4) Welding (5) Instrument making (6) Boot and Shoe making (7) Painting and Decorating were given. Nearly 80 subjects are taught in Borstal Schools.² A regular curriculum for vocational and industrial training has been laid down by the British Prison Board. The Time Table for vocational training in a Borstal Institute in the United Kingdom is illustrated by the chart given below, relating to the course of Motor Vehicles Mechanics work.

1. *Ibid.*

2. *Work and Vocational Training in Borstals (England and Wales)*. H. M. Stationary Office, 1962.

Time	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
8.00. A. M.	Workshop Practice	Science (8.0-9.0)	Workshop Practice,	Science (8.0-9.0)	Technology Drawing (8.0-10.0)	Revision OR Workshop Practice.
11.45		Workshop Practice		Workshop Practice	Workshop Practice.	
10	Technology (1.0-3.0)	Workshop Practice	Technonlogy (1.0-3.0)	Workshop Practice	Workshop Practice.	
P. M.						
4.45	Workshop Practice.		Workshop Practice.			

RELATED SUBJECTS

Subject	Evening Time	Hrs.
1. Calculations and		
2. Drawing.	Wednesday	2

The Commission has tried to suggest jail industries in the light of the policies and practices given above, keeping in view the needs and requirements of Jails in India particularly the jails in Rajasthan.

For the first time the problem of prison labour was discussed on an international basis by the International Penal and Penitentiary Commission. The United Nations' Social Defence Section laid down certain guiding principles for prison administration in 1955 and one of its recommendations was :—

United Nations'
Recommendation.

“The period of imprisonment is used to ensure, so far as possible, that upon his return to society the offender is not only willing but able to lead law-abiding and self-supporting life”.

Prison labour and jail industries have to be studied in this context. Modern penology has accepted the norms stated above. In most of the countries prison labour is a part of punishment. In some countries it is an “additional punishment”. There are only two countries known to us, Indonesia and Mexico, who do not regard work as legal or administrative obligation. The Constitution of Mexico is unique in this respect. It explicitly guarantees prisoners the right to work, without making it an obligation. However, “Penal servitude” and

Obligatory or
otherwise.

“hard labour” stand in the legislation of majority of countries including India and we believe that for the rehabilitation and social re-insertion of prisoners, prison labour in a well-organised form is essential, for convict and undertrial both.

Identical labour.

For the undertrials, in no constitution of a known State, it is obligatory to work. Only in Uruguay, it is mandatory for undertrials. In India, so long as prisoner has not been convicted, he is neither put to work, nor given labour diet. In some countries, including India, some work is provided for the undertrials and they are given labour diet and that is the only allure-ment which draws them to work. Only in 22 States of the world, including India, indentical work for both categories of inmates is permitted. The Rajasthan Jails Reforms Commission feels that there should be identical work for both the categories and sufficient allure-ment should be given to the undertrials.

Untried should
also work.

The average percentage of conviction to undertrials is 30-35 in India. Therefore, if rehabilitative process starts from the very beginning, it would do good. No legal and administrative binding is necessary; only prospects of better opportunities in life, even wage earning schemes, would give impetus to work. Usually convicts get remissions for labour. The Inspector General may be empowered to give special remission to those undertrials who work during their preconviction period. This concession may be properly publicised for undertrials.

The number of undertrials admitted to Rajasthan jails during the year 1960-61 was 19075 and during the year 1961-62, it was 18,926.

It is a waste of labour and a national loss to keep undertrials sitting idle without engaging them in any productive effort which may give them earnings and more production to the country. We realise that to put them to work may be a problem. The Inspector General reports: "I would suggest vegetable gardening or agriculture within jail walls, newar-making, rope-making, basket-weaving and cane work for them, and they may be paid full wages @ 00.75 P. per day. Those who work at their option can thus be paid Rs. 00.50 P. for full task done."

Biri making is another such industry for urban prisoners, both undertrials and convicts of short terms. At present, only in Jaipur Central Jail more than 100 bundles per day (each bundle consists of 25 biris) are consumed and the total number of biris consumed in all jails and sub-jails of Rajasthan comes to 500 bundles daily. If biris are manufactured by undertrials or short-termers, there is no difficulty to find ready market in jails. Such an industry can easily run in all sub-jails to provide work to the undertrials on payment of wages at the rates of 00.50 P. per day.

Biri making.

This industry will be useful for short term convicts as well, as stated above.

The purpose of jail labour as defined by the Standard Minimum Rules for the Treatment of

The purpose of jail labour.

Prisoners prepared by the International Penal and Penitentiary Commission, is the following :-

(a) So far as possible maintain or increase the prisoner's ability to earn an honest living upon release.

(b) Provide vocational training in useful trades especially for young prisoners.

Productivity and
revenue.

In all countries, it is aimed to inculcate in the prisoners habits of industriousness and opportunities for the acquisition of skills learned on the job. In actual practice, in our country, production and revenue from jail labour play a less conspicuous role in institutional requirements, on the lines of French prisons. There is no penal Agricultural Farm in our country organised like San Ramon Prison, a Penal Farm of Philippines. It has 400 inmates. It has not only paid for its expenses and maintenance including the salaries of all officers, employees and personnel but has also annual profit of nearly 175,00 dollars (Philippine Dollars). The Sitarganj Camp in U.P. is a bold venture but it has not yet given any actual profit to the Government. It is a bigger and bolder attempt than San Ramon. It engages more than 1000 prisoners as against only 400 at San Ramon.

Jail Industries for industrial education are not viewed as a commercial venture by modern penologist. Their aim and purpose is explained by the All India Jail Manual Committee :-

“(ix) Employment, work and training possibilities should be sufficiently varied and diversified to enable prisoners to be trained, equipped and

adopted to the requirements of the labour market in the free community. Possibilities of employing inmates in various kind of work mentioned above should be utilised not only for production in terms of State Policy and National economic development but also for their value to inmates as means of use, training for occupational adjustments and rehabilitative processes. In view, however, of the limitations in organising diversified work in Jails, there should be set up varied vocational training projects in industrial, agricultural and allied fields, so that the inmates get properly trained and equipped for entering or re-entering an occupation or trade in the community after release. For carefully selected inmates, the possibilities of work and training in semi-open and open institutions, nation building activities, etc. should be fully employed for the purpose of diversification of work and training.

(x) For purposes of employment, work and training of inmates, the following should be kept in view and organised according to departmental requirements training needs of inmates, local conditions and available facilities at each institutions :—

(a) Cottage and village industries; (b) Small scale industries; (c) mechanised industries sections; (d) handicrafts; (e) agricultural farms, dairy, cattle breeding, poultry, nursery, horticulture, floriculture, sericulture, manure production; (f) Nation building activities such as, digging canals and water channels, construction of bunds, dams, roads, Government building

etc., projects of reclamation, land development, soil conservation and afforestation; (g) training projects in industries, agriculture and allied field; apprenticeship training on the job training, vocational training projects."

Clause XII and XIII of the Manual emphasise that the system of tasks, wages and costing and account methods should be rationalised and a wage system should be formulated. The Manual lays greater emphasis on training and rehabilitation rather than on commercial value of jail industries.

Labour and wages

For a long time, prison labour was regarded only as a means of punishment. Its concept was economic in the nineteenth century. Now, it is educative and for moral reform. Work is individualised. Prisoners work in common. While providing work aptitude should be taken into consideration. Jail work is a system in discipline. According to International Penal and Penitentiary Foundation (Report 1956 page 125) "The prisoner need not always have vocation for farming or other work in the country, he is in fact taught a method or work involving a new way of life even if he has to apply this new method to another kind of work after his discharge".

Education and discipline is the primary consideration for prison work. In no State in India or in any advanced State in the world, jail labour should be treated as a commercial venture. Therefore, it should not be considered at par with free work. Remuneration for jail labour is accepted in all advanced States but the system

of remuneration differs from State to State. Some countries treat it as good as free work remunerate it accordingly. Some treat it as reward to the jail worker. Some treat it as bonus. But it does not seem to be proper to equate it with free labour which is paid for its actual productivity while the prisoner is paid for productivity and diligence both. In the U.S.A., the period of sentence is reduced in return for exceptional good work, i.e., a remission of sentence for the work done. It is almost a system of out-put bonus. In Israel, the proceeds from the production by prison labour after deducting maintenance cost etc., are put into a common fund for increasing the comforts and provision of amusements to prisoners. In Denmark, Fin-land, Greece, Israel, Japan, South Africa, U. S. A., etc. Gratuities in form of remission, and cash payment as in Israel system are paid to prison workers. In Austria, Switzerland, Denmark etc, a very small remuneration (without deducting the costs of maintenance) is paid to them. In Italy and Turkey, a fairly high nominal remuneration after deducting maintenance charges is paid. In Germany, Spain, Yugoslavia, Sampurnanand Camp in U. P. (India) and some camps in some States in India, 'Salary' at market rate after deducting cost of maintenance is paid. In the United Kingdom one of the above form of payment is adopted by the different prisons.

The Government of Rajasthan after accepting the recommendations of the "Committee on Improvement of Jail Industries in Rajasthan,

Industries and wages in Rajasthan prisoners.

1958" has declared jail industries as non-commercial.

It has been observed in the said Report that "the industries have been installed largely with the object of reforming the habits and mental outlook of the convicts so as to convert them into useful and law abiding citizens". (Page 16).

This Committee had suggested "Introduction of Wage-earning schemes in "other important jails" (Page 29). Wage earning scheme was started at Central Jail, Jaipur in the year 1956 and now it has extended to Jodhpur Central Jail. Ajmer Jail has got its own wage-earning scheme where a prisoner doing full task is paid at the rate of 25 P. per head.

It is apparent from the above that Rajasthan jails have the Swiss-Austrian-Danish system of having very small remuneration.

In planning industries for Jails it has to be kept in mind that the prisoners must one day return to the society and his prison life should equip him for normal social life. Therefore, Jails should have such industries which increase the inmates ability to earn an honest trade. As such industries in prison are to be viewed not as commercial ventures but as primarily educational, offering prospective employment, work and training of diversified nature so as to enable them to compete in labour market in a free community. Education in industry with necessary discipline is the guiding factor in planning industrial education for prisoners.

Industrial education in jail is thus useful only when it has rehabilitative value, employment potentialities and if it offers scope of a remunerative occupation. The present industrial programme of Rajasthan jails has been explained in the preceding pages. We feel that the above programme requires diversification and modernisation. The nature of training in Textile industry is mainly limited to Handloom industry whether it be weaving of durries, towels, carpets, or Dosuti, Reza, Fine tape, Newar or bed sheets. The subsidiary textile group taught are dyeing; spinning of Ambar Yarn and tailoring or stitching of garments.

Industrial education in Rajasthan prisons.

The general condition of Handloom Industry in India needs a review in this context to determine how far it is a remunerative occupation or has employment potentialities for the ex-convicts. According to policy framed by All India Handloom Board, it has been specifically stated that since the existing Handloom Industry is not giving the handloom weaver enough to subsist upon, an attempt should be made to discourage further entrance into this profession. With the existing method of production, handloom industry has to be subsidised for continuance till the change-over. This industry is given special credit facilities for replacement of the existing out-dated handlooms by more modern handlooms and for a switch over to automatic and semi-automatic machines. Again it has been felt by planners that handloom industry can not survive through the individual efforts only but must have an

Handloom industry-the present position.

organisation to withstand the competition and to modernise the industry. Loan for investment is, therefore, being given to the weavers to form a co-operative society and such societies are further given working capital. Facilities for marketing is also being provided and technical assistance is also given to enable the handloom weaver at least to earn a reasonable living. In this context, therefore handloom industry does not offer much scope for employment or rehabilitation of the prisoners although it is at present profitable to Rajasthan Jails. It may, therefore be continued as a useful training for prisoners e.g., short termers or undertrials, who cannot be given any other occupation in view of the short duration of their stay in Jails. Items likely to be profitable for jail like Durries and Carpets should continue to the extent they are commercially profitable. We shall recommend later about the re-allocation of this industry.

Tanning and footwear.

The next group of industrial education in Rajasthan jails is tanning and footwear. The caste system in our country still works as useless deterrent in this trade. Therefore, a prisoner if he is a hereditary shoe-maker or a tanner or he has wilfully and voluntarily offered himself to the trade, will gain nothing during his training, nor it is likely to be useful to him after release. If, however, the training would have been of higher standard making him suitable as a skilled craftsman for organised shoe factories like Batas, the training would be useful in the free labour market. The present

training given in the Jails of Rajasthan in shoe-making is neither sufficient nor mechanised nor a modernised one. This trade has a great employment potential and it can be adopted as a personal occupation. But to make the products more marketable and to provide proper training at least Rs. 5,000/- should be invested to make Alwar Shoe Factory a modern workshop.

The other two groups of training given in Rajasthan jails are tin-smithy and carpentry. It appears that both these trades are only in one or two selected jails, since the main emphasis on industrial education is mostly textile and its subsidiaries.

Other occupations.

Before suggesting Industries and diversification of training, it would be worthwhile to mention that wherever training is limited to such group of small industries, handicrafts or cottage industries which envisage self employment, it is to be borne in mind that the person to be "self-employed" must possess resourcefulness, organisational power, ingenuity and goodwill. A self-employed person in any cottage or small scale industry has to buy on credit and sell on credit.

Basic consideration

It is the considered opinion of the Commission that Industrial Education in jails be of such a nature and in such group of industrial unit which can offer ready employment also in established industrial units as wage-earners, as skilled or un-skilled workers. A new orientation to the existing industries in jails is, therefore, necessary. Some of the industries proposed

Industries suggested and their potentialities

below may not be able to produce articles which may have a good market in competition with the same products of organised heavy industries like Plastics, but employment potentiality shall be there. Jail industries should, as far as possible, produce such articles and from such centres which are suited for the production and have markets also. Therefore, while suggesting the location of industries and the list of industries to be adopted in Rajasthan jails, we leave the same to the discretion of the Inspector General of prisons and the Director of Jail Industries.

In starting new industries, the availability of man-power and the profitable nature of the work, both will have to receive due consideration.

It should be noted for future guidance that there are several industrial concerns in Rajasthan particularly at Jaipur, Beawar, Bhilwara, Udaipur and Kota which lack skilled workers and need trained workers. Industries suggested below shall turn out good apprentices for such concerns ; and prisoners, it is expected, would find jobs easily on their release. Textile Mills at Beawar, Bhilwara, Udaipur & some concerns at Jaipur are willing to accept convicts for training and employment after release. This is a golden opportunity to rehabilitate a large number. Convicts who can be trusted for outdoor training should be concentrated in jails nearest to such factories and allowed to receive the training offered. Thus, the period of their imprisonment shall be well utilised.

One or two factories in Jaipur have suggested to start their branches in the Jail compound, out-side the jail gate and to work with the convict labour on the same terms and conditions as offered to free labour. This matter requires consideration.

In several countries it has engaged the attention of Government whether it would not be useful to run jail industries in collaboration with a private enterprise. Why should not jail labour build houses for private contractors? Why should they not dig canals for private owners? It has been discussed on the forum of UNESCO also. The consensus of opinion is that so long as a prisoner works in a state enterprise in the capacity of free worker and draws full wages, the dignity and discipline of States' ward is not injured but as soon as a private enterprise begins to share with the jails its manpower on equal basis, the rehabilitative value of Jail life disappears. The State has not only to get a man employed in a work, it has to resuscitate the man's life. Even in the open camps the prisoner must feel that he is under "supervision" and the "opportunity to work" is an "Opportunity to mend". If the prisoner is good enough and trustworthy to be sent out, he can be sent without escort to private concerns for training but to allow private enterprise to function in jail premises shall be exploiting jail labour and the real significance of mending the asocial being shall be lost.

A much better collaboration has been offered by Sanganer Gram Panchayat. Then there is

Should jail industries be run in collaboration with private enterprises?

Durgapur Farm which belongs to Government Agriculture Department. Both are good ventures on open camps in Rajasthan. Both serve good purpose in rehabilitating agriculturist prisoners. We shall deal with this aspect in our Chapter on Open Camps. Yet, Durgapur Farm is the venture of Agriculture Department. It is just like Churk Cement Factory of U. P. There the Government employs prisoners because they are good workers, less troublesome, docile and law-abiding prisoners. Durgapur or Churk are no "endeavours" of prisoners. Both do not develop the real "personality" of the prisoners. Both only "maintain" them in a free environment.

Jail industries
& there location :

The list and location of industries proposed is given below. While making the recommendation the Commission is aware of the suggestion given in Chapter VII of Saksena Committee of 1958. A Sub-Committee on Jail industries was set up by the Home Minister under the Chairmanship of the Inspector General of Prisons. It has suggested on 11-10-1962 that jail industries should be mechanised as far as possible. It had recommended textiles, insulation tape, shoe-laces, file-laces and shoe factory at Alwar. It may not be proper to mechanise all major industries in prison, as seventy per cent of the convicts belong to rural areas and their requirements cannot be ignored.

Marketing :

Before we lay down our list we would suggest that care should be taken for proper marketing of jail products. At present, they are competitive in rates in free market and good in quality

It is also true there is no proper publicity and arrangements for their sales. We suggested that a Special Officer should look after the sales of jail products, coordinate the sales of jails and jail emporium should be opened at Jaipur and Delhi. The Sales Officer should be under the Director of Jail Industries.

RECOMMENDATIONS

No further investment is needed either for the expansion of this industry, raw material or staff. But in order to make this industry more attractive and effective, a Designer should be appointed to look after both jails with his headquarters at Jaipur. His pay scale should be Rs. 150-5-250 or the grade of a Designer in the Industries Department.

Carpet industry
Bikaner and Jaipur

Jaipur—No additional expenditure.

Fine durries

Jaipur, Jodhpur, Bikaner, Kota and Udaipur.

Durries of flower
pattern and ordi-
nary designs.

In these places there are generally short-term prisoners and they cannot be given any better or finer job. Durrie industry exists at these places. Therefore, no additional cost is involved. So far as Ajmer is concerned, its pattern for industrial training has been already submitted in our Report.

Bikaner.

Woollen cloth and
blanket weaving.

Jodhpur, Jaipur, Udaipur and Kota.

Textiles.

The above is being recommended because these prisons have long-termers who can be put to a sustained training programme.

The present equipment of textile machinery in all the jails is out of date, almost useless and

Hosiery and Glass
beed industry.

Female Reformatory.

Rs. 2000.00 (Two thousand) for Hosiery and
Rs. 1000.00 (One Thousand) for glass-beed and
one Instructor on Rs. 125-5-175 shall be
needed.

Newar and tape
and nathi dor.

Ganganagar, Bhilwara, Banswara and Tonk.

In these industries, short-termers and under-
trials can be engaged. No investment is needed.

Insulation tapes.

Kota.

This Industry shall be a paying one in view
of expanding electrification. Actual cost in
installing the industry would not be much.

Canning work.

Jaipur, Jodhpur, Kota etc., where local orders
can be secured in plenty.

Wool spinning.

Bikaner.

Carpentry.

Central Jails and Juvenile Reformatory.

Book binding
Envelope making
etc.

Alwar.

Over and above these industries, the Commi-
ssion recommends that certain industries could
be started in collaboration with the Gramodyog
and Khadi Commission, Viz., Non-edible oil
industry, oil-crushing, Hand-made paper indus-
try etc.

Dyeing and printing are subsidiary industries
of textiles, durries and carpet-making. Therefore,
wherever these industries have been recommen-
ded, it should be understood that the subsidiary
industries shall also exist.

The location of industries given above does not fully complete the picture of industrial training in the jails. It should be clearly understood that we are of opinion that the Inspector General of Prisons should have the discretion to make changes or additions in the locations suggested.

The Commission feels that wages should be paid to all workers. The scheme shall have to be introduced gradually but the wage scheme should be introduced in the following industries at once:—

Wages.

1. Agricultural Farm, Bharatpur.
2. Textile industry at Jaipur, Jodhpur, Bikaner, Udaipur and Kota.
3. Tailoring industry at Juvenile Reformatory, Female Reformatory and at Jodhpur.

At Bharatpur Farm and in Textile, Durrie and Carpet Industries, usual wage rate should be rupee one per skilled labour and 75 P. for the unskilled, for the full task as per schedule. Diet and clothing charges should be deducted from the wages. Thus, actual per head payment for nearly 500 workers would not be more than Rs. 415.00 per day. This shall be fully covered by the products produced. Wage scheme in other industries should be introduced after experiment in the industries referred to above proves successful.

Wage should be paid after full task is done. The task load shall have to be increased in

keeping with the free market production. The accounting, system shall have to be re-adjusted. If there is some loss to the Government in overhead charges, that shall have to be borne because even if wages are not paid, Government has got to maintain the prisoners. After proper accounting it shall be found that instead of there being a loss to the Government, it will result into more and better production and Government shall be making better profits. The standard of production shall also improve.

Skilled and un-
skilled workers.

At present the classification of skilled and unskilled workers is very defective. Our definition of an unskilled labourer should be, one, who has not passed the standard of skilled worker. A beginner is an apprentice, who should not be paid anything. Thus, we propose three grades of workers, apprentice, unskilled and skilled.

Therefore, the present classification of skilled and unskilled should be done away with. It should be clearly understood that the present system of commercial accounting would also have to be changed. Over-head charges of jail administration should not be put on jail industries. To decide that jail industries are non-commercial and to continue commercial accounting are contradiction in terms. However, experience of other States point out that without commercial accounting, even Jail industries pay the Government.

The present system of wages in Rajasthan Jails is unscientific and should also be given up.

<i>S. No.</i>	<i>Name of Trade</i>	<i>Estimated recurring expenditure (in Rs.)</i>	<i>Non-recurring expenditure.</i>	<i>REMARKS.</i>
*1.	Manufacture of plastic goods.	10,000	7,000	Moulding machines (Injection moulding and different dye.)
2.	Electrical installation-Armature winding.	5,000	5,000	Meagre testing Armature Volt-meter coil forms etc.
3.	Welding (Gas).	5,000	3,000	Gas Welding set complete and other hand tools of sheet metal work etc., small drill and Hack-saw, Table voice etc.
4.	Radio repairing	5,000	7,000	Signal Generator Occilograph and other testing meter and hand tools equipment.
5.	Canning and recanning of chairs etc.	7,000	500	
6.	Cycle Repairing.	4,000	500	
7.	Dry cleaning Laundry.	2,000	10,000	
8.	Training as Mason & Brick layer Tiles, wash basins etc.	5,000	1,000	
9.	Cement working.	7,000	1,500	
10.	Book Binding.	4,000	700	Paper cutting machine, sewing machine etc.
11.	Polishing Varnishing of furniture.	5,000	1,000	
12.	Poultry-farming piggery etc.	5,000	1,000	For Bharatpur agricultural Farm.

* *Additional Industries recommended*

All these industries are not to be opened at a time. But they should be started as and when feasible and possible. By spending only Rs. 50,000 on the above industries (Rs. 25,000) recurring and Rs. 25,000 non-recurring) They shall bring an additional increase of Rs. 1,00,000.

Industries for
short termers and
undertrials.

There is a large number of short-termers in jails who cannot be given long range industrial training. There are undertrials whose stay in jails is uncertain. Yet, the responsibility for their rehabilitation and education cannot be denied. They have to be kept occupied in a disciplined manner. In addition to what we have stated above, we suggest the following industries for undertrials and short term prisoners:—

- (1) Weaving of tape, *Newar*, rope and twine;
- (2) Durrie weaving; (3) Tailoring (for female prisoners only; (4) Tin Smithy; (5) Book binding; (6) Dry-cleaning etc. (7) Biri making.

Since the financial implication of these industries are already known to the jail authorities in Rajasthan, no estimate is being appended. It may, however, be mentioned that training needed in these industries is not of long duration to make them efficient as an average skilled worker.

Agroindustry.

During the course of our discussion a point for consideration was made as to whether industrial training in Jail should be exclusively of rural bias or not, as most of the prisoners hail from rural areas representing rural occupa-

tions. We have however, observed that the occupational pattern in rural areas is changing fast, so far as subsidiary occupations of agriculture are concerned. The agriculturists are gradually switching over to tractors and other mechanised agricultural implements. Pumping set for drawing water from well has already been introduced in many villages. Electricity is being increasingly made available in rural areas. The occupation pattern therefore, will undergo considerable change in years to come. The traditional subsidiaries to agriculture are also to change likewise. Repair and replacement of modern agricultural tools will be more necessary than manufacture of traditional tools which are being gradually replaced. Again repair of pumping sets has already become a problem in rural areas, where such sets have already been installed. Agricultural bias be changed no doubt. But, basic agricultural work and agricultural industries shall have to continue in some form or the other in the jails.

There are several jails and sub-jails in the State which have sufficient cultivable land attached to them. At some places, the land is put to such use but at several places no use is made for lack of man-power or other facilities. The emphasis in all jails should be on agricultural work, wherever possible. Bhilwara and Ajmer jail can be good centres for agricultural work.

Agriculture.

This subject has already been discussed in detail in the preceding chapter.

The present system of costing of jail products is unscientific. If the entire out-turn of jails is sold beyond sheltered-market, it shall not be able to compete in the free market. In the same way the rate of rupee one for skilled worker and, 75 P. for un-skilled worker, is a distress wage. It should be on market basis. Therefore, we propose that the costing and wages should be on the following basis :—

1. Raw material cost.
2. $6\frac{1}{4}$ per-cent depreciation on machineries or tools.
3. 1 per cent supervision charges.
4. Market rate of free labour for the same type of work and for the same amount and quality or proportionately.

The system of accounting, maintenance of records of work, wage-register etc., should be as it is done in outside factories or work houses. Thus in manufacturing 1500 Sq. yards of plain-boarder durries, we calculate the cost of production as follows :—

1. Raw Material	Rs. 5959.97 P.
2. Weaving charges at the rate of Rs. 1.25 P per Sq. yard	Rs. 1875.00 „
3. Yarn opening charges	Rs. 405.00
4. Over head charges depreciation, supervision, etc.	Rs. 200.00
	<hr/>
	Rs. 8439.97
Departmental profit	Rs. 1689.03
	<hr/>
	Rs. 10129.00

The market value of such 1500 Sq. yards of durrie would be Rs. 10 129.00 plus sales Tax. The products of Rajasthan Jails are quite good, cheap, durable and competitive. The departmental profit is also placed on a reasonable basis.

The prisoners, on release, after training in industry have to be given such assistance in rehabilitation as are necessary. In case some prisoners on release want to take Self Employment, they should be given loan and equipment on hire-purchase basis if possible. The Social Welfare Department or Social Welfare agencies shall have to take over the task of finding employment for the ex-convicts.

Financial
assistance.

SUMMARY OF RECOMMENDATIONS :

1. Proper incentives should be given to encourage prisoners to complete their full extra-task.

2. There should be identical work for both, convicts and undertrials. Prospects of better opportunities in life and even wage scheme shall be sufficient allurements to draw undertrials to work who would otherwise waste their time. As the Inspector General suggests they can work on vegetable gardening, agriculture, rope-making, basket making and cane work and be paid full wages at the rate of 75 P. and those who work at their option can thus be paid 50 P. for full task done. Biri making can be another industry fit for both undertrials and short-termers.

3. A credit account for undertrials can be opened for remission, which would be "paid" in accumulated form after conviction or "liquidated" if released without conviction.

4. For carefully selected inmates, the possibilities of work and training in semi-open and open institutions, nation building institution etc., should be fully utilized for purposes of diversification of training and work.

5. Jail labour is essentially educative for social rehabilitation of prisoners, reward for this labour is paid on the basis of both productivity and deligence and should not be equated with the reward for free labour which is paid for actual productivity. Prison industries should not be viewed as commercial ventures primarily.

6. The present industrial programme in Rajasthan jails requires diversification.

7. Handloom industry does not offer much scope for employment or rehabilitation of prisoners but it is at present profitable to prisons. It may be continued as a useful training for undertrials and short-term prisoners who cannot be given any other occupation in view of their short-stay in prison.

8. Tanning and footwear trade has employment potentiality but present training in this trade in Rajasthan prisons is not sufficiently mechanised or modernised. The Alwar Shoe Factory requires a minimum investment of Rs. 5,000 to be modernised.

9. Industrial education in prison should be of such a nature and in such group of industries

as can offer ready employment, either as self employed person or as wage earner in established factories on skilled or unskilled jobs.

10. Location and production pattern of jail industries should be on twin considerations of education plus profit as is the case in America or Phillipines.

11. Industrial concerns, particularly at Jaipur, Beawar, Bhilwara, Udaipur and Kota are in constant need of trained workers. The textile mills of Bhilwara, Beawar and Udaipur and some Jaipur concerns, are willing to accept ex-convicts. This opportunity should be utilized. Trustworthy convicts should be concentrated in jails nearest to such factories and allowed to receive training offered.

12. Private enterprise should not be allowed to run industries inside jail compound.

13. It may not be proper to mechanise all major industries in prisons as 70 per cent of the convicts belong to rural areas and their requirements cannot be ignored.

14. There should be better publicity and sale campaigns for jail products, a special officer should be appointed to manage and co-ordinate sales of jail products and an emporium should be opened at Delhi and Jaipur for their display.

15. Industry-wise recommendations are made in this chapter.

Whenever possible emphasis in jails having sufficient land should be on agricultural work. Bhilwara and Alwar jails have good scope in

this regard. In places like Bhilwara where there is no much market value of vegetables, crops should be cultivated. Even with an investment of Rs. 6 to 8 thousand on such jails, besides the investment on Bharatpur jail, the production of food and vegetables would be sufficient. A special officer for agriculture should be appointed in the grade of Rs. 185-400.

A farm and agricultural training centre should be started with 15 starred prisoners and an investment of Rs.7,000 be made at Bharatpur jail to produce cereals. The annual out-turn shall be equal to Rs. 10,000 and annual saving will be of Rs. 2,000. The Ministry of Agriculture should be requested to depute an Agriculture Officer and prepare a training schedule for the jail.

Allied crafts of carpentry, blacksmithy, masonry should be introduced at Training Centres and at other places where it is economical to do so.

16. Wages and Costing.

A scheme for payment of wages to all workers should be introduced gradually. It should be introduced atonce in (i) Agricultural Farm, Bharatpur (2) Textile Industry at Jaipur, Jodhpur, Bikaner, Udaipur and Kotah and (3) Tailoring industry at Juvenile Reformatory, Female Reformatory and at Jodhpur. The wage rate at (1) and (2) should be rupee one for skilled and 75 P. for an unskilled worker for full task as per schedule. After deducting clothing and diet charges, actual payment for about 500 workers shall be about Rs. 415.00 daily which will be covered by the value of produce.

If the scheme in these industries is successful, it should be extended to others.

17. Wages should be paid after full task is done which should be increased to free-market level. Even if there is a loss to Government on overheads it should be borne because irrespective of whether wages are paid or not the Government shall have to maintain the prisoners. On proper accounting the Government may even find it self-profitd.

18. The present classification of workers into skilled and unskilled should be done away with. The practice of commercial accounting followed at present should be given up so that the jails may be recognised as non-commercial ventures and to follow commercial accounting pattern is contradiction in terms. As shown by other States experience, even without commercial accounting, Jails industries can pay Jail over-heads charges.

The present systems of wages and costing are unscientific and should be given up. A more scientific cost-wage structure shall be as follows;—

1. Cost of raw material.
2. $6\frac{1}{4}$ per cent depreciation on machinery or tools.
3. One per cent supervision charges.
4. Wage equal to rate of free labour for work of identical amount or quality or proportionately.

19. Social Welfare Department or Social Welfare Agencies should find out employment for ex-convicts; those who become self-employed should be given loan and machinery on hire-purchase basis, if possible.

CHAPTER X

AGRICULTURE IN RAJASTHAN JAILS

Poorly pop ulated
and precarious
living

Rajasthan is the most thinly populated State in the Country. Density of population per sq.km. is only 59 as against 73 of Madhya Pradesh. Most of the area is unirrigated and barren and in some sectors people have to travel for miles for a pot of water. Land holdings are uneconomic and erratic weather conditions govern their fate. Agricultural methods are primitive. Life is precarious for rural people. Only one sixth of population is urban (3,233,000). Men outnumber women.

Therefore, most of the crimes indirectly relate to land, unemployment and women. Eighty per cent of the jail population in the State is rural. Thus, for social rehabilitation, it is imperative that most of the schemes of training in the jails should have agricultural-cum-vocational bias. The prisoner should go back home as a trained agriculturist or with some art and craft to help him to establish in life with a free profession. His stay in jail should help him to get literate also because illiteracy is also a serious handicap to the State. The percentage of literacy is poorest in India, in Rajasthan. Only 14.7 per cent of the population i.e. 24 lakhs males and 5 lakhs females are literate.

Jails in Rajasthan have got to play their role in the social re-insertion of rural prisoners.

There are agricultural lands attached to the following 14 jails and sub-jails of Rajasthan :—

Agricultural Lands
in Jails

S. No.	Name of Jails	Total area attached (Acres)	Area under cultivation (Acres)	Area lying waste (Acres)
1.	Jaipur	19.375	8,125	11.250
2.	Jodhpur	12.500	10.000	2.000
3.	Bikaner	1.600	1.600	—
4.	Udaipur	3.750	3.750	—
5.	Alwar	22.000	16.000	6.000
6.	Bharatpur	40.000	10.000	30.000
7.	Tonk	18.750	—	18.750
8.	Kota	9.250	6.250	3.000
9.	Bhilwara	6.250	4.375	1.875
10.	Ganganagar	0.110	0.110	—
11.	Dholpur	1.500	—	1.500
12.	Banswara	1.500	—	1.500
13.	Ajmer	34.125	12.500	21.625
14.	Pratapgarh (Approximate)	2.50	Nil	2.50
Total		170.710	72.710	98.000

Entire land available is not being gainfully utilized, as about 43 per cent of the cultivable land is lying waste. For example in Bharatpur sub-jail, as many as 30 acres of the total of 40 acres are not being ploughed. In jails like Udaipur and Ganganager all available land is under cultivation but in a number of jails viz., Banswara, Tonk, Pratapgarh etc., the whole area is lying waste.

The area lying uncultivated in other jails is as follows : Ajmer 21.55 acres, Alwar 6 acres, Bhilwara 1.875 acres, Jodhpur 2.5 acres, Jaipur 11.25 acres and 3 acres in Kota.

Paucity of Water.
Supply

The Jaipur Jail is equipped with a pump for water supply but there is still water shortage for its 19 acres of land. Similarly, the jails at Jodhpur with 13 acres, Alwar 22 acres and Bharatpur 40 acres, which also have electric water pumps, suffer from shortage of water. Some jails have wells but do not have any electric pump, e.g., Tonk, Banswara, Bhilwara, Ganganagar, Ajmer, Bikaner, Pratapgarh. Kota jail has 9.25 acres of land. The adjoining area is served by a new canal but Kota jail is unable to get its requirements for irrigation—a queer spectacle of a chunk of land lying waste for want of water by the side of a huge water source, the Kota Barrage. Only Udaipur District Jail has no water shortage. It is served by an electric pump.

Thus a large part of the land available in Rajasthan Jails lies waste for lack of proper irrigational facilities. As much of the above referred to waste land lies in fertile regions, the Commission feels, can be put to good use, if electric pumps are provided, wherever necessary. The total cost would not be more than Rs. 10,000 non-recurring. Then the jail lands could be utilised more for the cultivation of each crops.

Vegetables

At present over-whelming emphasis is laid on the production of vegetables perhaps because in the absence of proper facilities nothing better and more profitable can be grown. Of the 13 jails having cultivable land, eight, viz., those at Jaipur, Jodhpur, Bikaner, Udaipur, Ganganagar, Bhilwara, Banswara and Tonk concentrate on

the production of vegetables. The jail at Kota grows along with vegetables, fruits also. At Alwar, cereals are also cultivated. Ajmer jail is utilised for production of grass for fodder and Bharatpur for cereals, vegetables and fruits. It will thus be seen that there is no jail, which utilises land for the cultivation of cereals exclusively. And there is at the same time no jail, which does not grow vegetables in some quantities. The extent of vegetable cultivation can be gauged from the fact that while no other crop claims exclusive cultivation, vegetables occupy some acres to the exclusion of the other crops and share a substantial part of the remaining portion of a total 73 acres under cultivation.

The total number of prisoners employed, total production in kilograms and its value in rupees during 1962 in each of these jails is shown in the table below :—

S. No.	Name of jails	Total (Total Production)		
		employ- ment	Quantity (kg.)	Value (Rs.)
1.	Jaipur	3,933	59,595	13,499
2.	Jodhpur	3,515	10,241	3,127
3.	Bikaner	1,053	4,833	1,006
4.	Udaipur	2,832	14,540	3,390
5.	Kota	1,531	79,856	3,340
6.	Alwar	2,449	42,389	7,624
7.	Ajmer	2,296	9,971	3,766
8.	Ganganagar	401	1,002	298
9.	Bharatpur	1,558	6,181	920
10.	Bhilwara	1,358	3,645	831
11.	Banswara	489	1,779	861
12.	Tonk	2,314	7,005	1,347
Total		23,729	25,057	39,918

We find that a total of 23,729 prisoners produced vegetables, cereals and fodder worth Rs. 39,918 from January, 1962 to December, 31, 1962. The highest contribution in terms of money came from Jaipur Jail, which has a land utilization of only less than 50 per cent, i.e., 8 acres out of a total of 19. The money value of the production of various jails arranged in descending order is as follows :—

S. No.	Name of the jails	Value of Production (Rs.)	Utilised area (Acres)	Value of Production per acre (Rs.)
1.	Jaipur	13,499	8.125	1,661.415
2.	Alwar	7,624	16.000	476.500
3.	Udaipur	3,390	3.750	904.00
4.	Ajmer	3,766	12.500	301.280
5.	Kota	3,240	6.250	518.400
6.	Jodhpur	3,127	10.000	312.700
7.	Tonk	1,374	(Production stopped from August, 1962)	
8.	Banswara	961	(Production stopped from July, 1962)	
9.	Bikaner	1,006	1.600	628.750
10.	Bharatpur	920	10.000	92.000
11.	Bhilwara	813	4.375	185.782
12.	Ganganagar	298	0.110	2,709.090

Looking to the production value per cultivated area we find that Rajasthan Jails have an average return of about Rs. 549 per acre. The jails, which gave an average return less than the

over-all average, were Bharatpur (Rs. 92/-), Alwar (Rs. 476.5), Ajmer (Rs. 301.28), Kota (Rs. 518.4), Jodhpur (Rs. 312.7), and Bhilwara (Rs. 188.782). The jails arranged in descending order with regard to their average return are : Ganganagar, Jaipur, Udaipur, Bikaner, Kota, Alwar, Jodhpur, Ajmer, Bhilwara, and Bharatpur.

As written above, 23,729 prisoners produced agricultural commodities worth Rs. 39,918 but during the same period Jail Department spent Rs. 78,000 on their maintenance. This indicates that the out-turn from agriculture was not equal to the man-power utilised for the purpose. It should also be noted that most of the evaluation made above is book work. As per account rules it is not credited to revenue account, which must be done. The loss is, however, more a result of lack of facilities and proper drive than anything else. Vast areas are lying uncultivated, proper irrigation facilities are not available and almost entire productive effort is neither systematic nor properly planned. For instance, Bharatpur can be developed into a good agricultural training centre. It produced cereals worth Rs. 3,000 in 1962-63 but it was due to the planned enterprise of the incharge of the jail. If proper facilities are made available, cultivation of cash crops can also be taken in hand and if efforts are made to utilise the area at present lying waste, there is no reason why agriculture should not become as paying a proposition as it is in the jails of neighbouring states, like U. P. and some parts of Madhya Pradesh.

Like other jail industries, agriculture in jails also has wider significance and considerations of profit or loss become secondary. We have established in this report that prison-training should have rehabilitative value, therefore, we feel that agriculture should continue in jails and the prisoners coming from rural areas should be taught improved methods of farming so that on release they are able to utilise their lands more profitably than before. In this context emphasis in all jails should be on agriculture and allied industries, wherever possible. Due to availability of land and water, Bhilwara, Alwar and Bharatpur jails can be good training centres for agriculture.

Although the question of open camps has been dealt with separately, the experience of Durgaputa Farm indicates that prisoners can work on farms on their own and, therefore, the Government should be approached to allot suitable area of land to start a big sized farm in the new canal area. Sampurnanand Open Camp at Sanganer should also have agricultural bias.

At present the land adjoining the Bharatpur Jail appears to be sufficient to start an agricultural training centre and to be converted into a semi-open camp with a model farm.

The present land area available with the jails can produce a sufficient quantity of vegetables to meet the requirements of several jails but in places like Bhilwara, it is reported that there being no good local market, growing of vegetables on large scale will not be profitable.

In such places crop cultivation can be undertaken, besides growing potatoes etc.

The agricultural scheme submitted by the Incharge of Bharatpur Jail has also been given due consideration by the Commission. It is recommended that Rs. 7,000 (for agricultural implements and live-stock) and 15 star class prisoners be allotted to this jail to start a proper farm and agricultural training centre. The out-turn of this agricultural camp shall be near about Rs. 10,000 a year and after paying wages to the labourers the prison, it is expected, shall have a saving of about Rs. 2,000 a year. It shall produce cereals, which are much needed.

Bharatpur

To make Bharatpur Jail an effective training centre for agricultural education, the Agriculture Department be requested to depute an Agricultural Officer and give a training schedule to the Jail.

It is recommended that in all the jails, wherever cultivable land is available, full use of the same be made and if only Rs. eight to ten thousand are invested in this respect, the jail Department would surely begin to produce sufficient quantity of food and vegetables. In order to coordinate agricultural programme, the Commission suggests that a Special Officer for Agriculture be appointed in the salary grade of Rs. 135-400 with headquarters at Jaipur. It was also brought to our notice that at present prison staff does not get vegetables etc., produced by jails. The Commission considered the question and feels that they should be allowed vegetables free of cost after the needs of priso-

ners have been met, according to a schedule, which the Inspector General of Prisons may fix. It is implied in this recommendation that every jail shall grow sufficient quantity of vegetables to meet the needs of both, its inmates and staff. This shall act as an incentive for a better production, as the workers shall have the feeling and satisfaction of working for their own benefit as well.

Allied industries

Since it has been resolved that the primary bias is on agricultural industry, vocations allied to agriculture should also be introduced.

Subsidiary Industries.

The following subsidiary industries are considered to be important and useful in this context:—

1. Carpentry.
2. Blacksmithy.
3. Masonry.

Wages.

The Commission feels that all prison labour should be remunerated for its service. "Wages" have been discussed in the chapter on industries. Wages should be given for agriculture labour also at the rate of free labour.

SUMMARY OF RECOMMENDATIONS

1. Agriculture needs greater attention.
2. Agricultural production should be valued in terms of money and the money value of such production should be treated as income for that particular institutions, where it is grown. This shall not only give workers the satisfaction of having done productive labour but shall also reduce the expenditure on that jail.

3. As far as possible improved implements of farming be provided to such jails.

4. Arable and non-arable land should be reassessed and then a better plan of land utilization in jails should be introduced.

5. As majority of our prison population is rural just one proposed agriculture farm at Bharatpur shall not be sufficient to train all rural prisoners. Therefore, agriculture should not be neglected in other prisons. We have stated that Alwar and Bhilwara also can be good places for developing agricultural farms. Agriculture Department should depute an officer to Bharatpur jail for some time to give it scientific guidance.

6. In regions where rainfall is low, uncertain and highly variable, good results can be obtained by following scientific nature of dry farming, which is a rational method of cultivating purely rain-fed crops in regions of low and erratic precipitation. The object of this method is to maintain fertility, and conserve the maximum amount of rain water in the soil.

7. Wherever possible jails should be made self-sufficient in the production of vegetables. It should be the responsibility of the Inspector General of Prisons to see that necessary steps are taken towards this end.

8. Where vegetable growing is not an economic proposition; due to local market considerations or consumption is or due to small population, cereals should be grown.

9. Sanganeer and Sampurnanand Open Camp should be given agricultural bias.

10. There should be subsidiary industries attached to jail agriculture, namely carpentry, blacksmithy and masonry.

11. A Special Officer in the grade of Rs. 185-400 should be appointed to co-ordinate and guide prison agriculture activities. He should be attached to the headquarters and should be constantly on tour.

12. Prison staff should be allowed a scheduled free quota of vegetables, fixed by the Inspector General of Prisons after meeting the full requirements of the prisoners. This shall not only give impetus in pushing agriculture and growing of vegetables but also help the poorly paid staff.

13. Financial implications of the recommendations are:

1. Rs. 10,000 to improve water supply in jails where agriculture is to be pushed.
2. Rs. 7,000 for Bharatpur Farm.
3. A Special Officer for Agriculture in the grade of Rs. 185-400.

CHAPTER XI

PUNISHMENT AND REWARD

The theory of punishment and reward from a scientific point of view are two aspects of the same process of systematic learning and unlearning (inhibition). Development in psycho-analysis and sociology has proved that reward plays a more effective role in human learning than does punishment.

The role of
rewards.

The reform of criminals would mean both unlearning of the hitherto evolved mode of behavioural adjustment and learning of a new role. Between these two stages, e. g. the present and the prospective, the culturally learned behaviours and experiences work as barriers. To establish communication between two, punishment alone would prove to be a negative instrument. Punishment either reinforces the feeling of individual or group alienation or the feeling of increased inhibition towards the learned mode of conduct. It never does propel the individual to look out for new avenues for existing modes of adjustment and behavioural norms. Punishment alone would create an image of society as mere tormentor and not as redeemer. Reward accompanied with punishment would put society in the image of the 'parents', a situation nearer home to postage learning. This in brief is the philosophy of reward and punishment in modern correction.

In India the significance of these crucial strategies has been realised more on the humanitarian grounds than on the scientific ones. National leadership of independent India had experienced for themselves conditions of jails and were convinced of the need of improving the grim conditions of the jails. As soon as they came to power they introduced some of the most advanced measures in the treatment of prisoners with the result that we have some of the most radical methods as well as out-moded practices in our institutions.

A successful policy of reward and punishment would not be merely confined to the four walls of the prisons or the open air camps. It has to be integrated at all levels. The convicts must not have a feeling that he has been denied fairplay. Reward as well as punishment starts early in the life of the criminals as also in the life of an individual from childhood. It is always something having seriously gone wrong, between the delicate balance of these two mechanisms which is perhaps responsible for his or her criminal career; his or her each confrontation in society either strengthens this maladaptation or weakens it. It requires trained and sensitive minds and hearts to deal with such typical human situation. This can be realised only by systematic planning of the prisoner's training.

Rajasthan has some measure of preliminary efforts to integrate the system of reward and punishment. The common modes of punishment which still persist are solitary or separate confinements, hand-cuffing, whipping, putting

on fetters and cross-bars and down grading in the scale of classification, withdrawal or stoppage of remission, etc., etc, (See pages 4-12 of the Rajasthan Jail Manual); besides these there is also a system of diet regulation (penal diet) and hard work. These are to be resorted to out of the regular pattern behaviours defined as "Prison offences" These punishments are still used on hardened or incorrigible convicts when they commit prison offences. Without exposing these criminals to psychotherapeutic diagnosis and assessment, it remains anybody's guess at present as to how far this attitude is useful and warranted. Incidentally the number of such criminals in Rajasthan jails is not very high. On an experimental basis psycho-therapy may be tried on such convicts who have so far been treated as incorrigibles which would be of great value in applied as well as theoretical criminology.

The reward system of the prisoners include, remission of term of conviction, inclusion in 'star' classification, promotion to convict officers cadre, being finally entitled to an open prison camp. Besides these there are economic incentives-the wage earning and training scheme. The wage-earning is of various types such as (1) manufactures; (2) farm-labour; (3) other works on handicrafts, etc. Its objective is to rehabilitate the prisoner through training in crafts after release and improve his or her condition within the jail.

Rewards in
operation.

Among the various rewards the star-marking and promotion to convict-officer's rank are

extremely important. The rules for the star-marking is such as leaves only the ordinary non-habitual prisoners to be classified in this category. The policy regarding selection is given as:--

Prisoners for the "Star" class shall be selected on the ground that their previous conduct and character have been good, that their antecedents are not criminal, and that their crimes do not indicate grave cruelty or gross moral turpitude or depravity of mind. One or more previous convictions need not automatically exclude a prisoner from the "Star" class, provided they were for petty offences only. Even a conviction for serious crime might possibly be not regarded as a bar if the crime was committed several years before and if during the intervening period the prisoner had led generally an honest life. The age of the offender at the date of any previous conviction and at the date of his present offence should, of course, be taken into account. In fact, the entire body of the circumstances of the case should be considered with a view to determine whether the prisoner is already of so corrupt a mind or disposition that he may contaminate others and cannot be much contaminated himself, and the question should be dealt with in a common sense manner." (Rule 36 page 244- Rajasthan jail Manual.)

Star Class prisoners

These rules regarding 'star-prisoners as quoted above are such as radically narrow down the scope. There are many penal offences which have perhaps been excluded from being considered for

'star' status. This is sheer anachronism in penal reform policy or in the scientific conception of reward and punishment as stated earlier. Some of such offences for which convicts would be excluded from star class consideration are abetment, offences relating to coins and weights, offences relating to religion, offences relating to documents and trade, offences relating to marriage, etc. Detailed instructions regarding the star classification have been laid down in Rule 36—page 244—245 of the Rajasthan Jail Manual based on the nature of offences.

Most of those offences have danger either to mores of society or have been treated as serious because of the 'heinousness' of the crime. However, apart from retributive sentiment none of them have scientific ground of being closed to improvement and reform. There is, therefore scope for further liberalisation in the rules for promotion to star class status. The Commission has made recommendation separately on classification of prisoners and if the same is implemented the status of prisoners shall be determined by the process of classification.

Apart from classification of star class, there are Convict Night Watchmen (C.N.W.), Convict Overseers (C.O.) and Convict Warders (C.W.). Rajasthan Jail Manual disallows 'females' appointment as C. W.'s (Rules 31—page 271). According to the Manual three, five and eight annas per mensum are payable to the three categories referred to above. Modern penology has not favoured the idea of prisoner-officers. It does not appreciate, howsoever useful it may be to

Convict Overseer
and Convict Night
Watchman.

the internal administration of the jails, to retain these classification. Yet, if it is to continue, there should be only two categories, i.e. Convict Night Watchmen and Convict Overseers and they be paid 50 P. and Rupee 1/- respectively, over and above their remissions. Convict overseers should be given eight days per month and Convict Night Watchman be given six days per month, subject to the maximum limits prescribed in the rules.

Remissions.

According to the All India Jail Manual Committee, remission has to work as an important incentive to self-improvement. But it has also opined that the system has become cumbersome and needs simplification and uniformity. The Committee has recommended that there should be three kinds of remission, i.e. Ordinary, Special and State. State remissions should be granted in the following cases only : (a) Rejoicing of national importance (b) Release on medical grounds (c) Deserving cases of life convicts and long term prisoners eligible for unconditional release and (b) Emergencies. The Commission agrees with the above recommendation of the Committee. The prerogatives of the government should always remain inviolable and we uphold the same.

Otherwise, so far as the policy of munificent remissions is concerned, the Commission feels that from the point of rehabilitation and encouragement, both, liberal application of parole, probation and ticket-on-leave rules should be encouraged and shall be more helpful and useful. The present system of remission

has evil effects also. It may lead to favouritism. It may lead to malpractice. It may help a hypocrite or flatterer unreformed prisoner to take ill advantage.

Under the present rules two days per month are allowed as remission for good conduct and two days for industry to all the convicts, i. e. four days in a month. 30 days in a year is allowed for continued good conduct for the year, called "annual good conduct remissions" (A. G. C. R.). For a little lapse during the year, this remission is forfeited. Prisoners employed on Sundays on prison services are awarded one day's ordinary remission for each month and the remission of two days per month for prisoners employed on scavenging work. Convict Night Watchmen (C. N. W.) and Convict Overseers (C. O.) are allowed five and six days respectively per month and those Convict Overseers who are employed on duty on the main walls or outside the barracks at night are given two days ordinary remission per month, in addition to the usual remissions granted. In this connection it should be noted that we have recommended to maintain only two categories i. e. C. N. W. and C. O. Over and above these remissions, the Superintendent and the Inspector General of Prisons can award 30 and 60 days respectively on their own authority as special remission.

The Commission recommends that excluding the remission allowed for blood donation all special remission over and above the ordinary remissions listed above should be cancelled and

the Superintendent and the Inspector General of Prisons or the Government should be authorised to award 10 and 20 days respectively in a year as special remission.

In case of sentences for less than twelve months, the period of above remission shall decrease proportionately.

The Commission does not favour the extra remissions granted in Open Camps. It may continue for the present but at a later date the Government shall have to think over the matter. The mere fact that a prisoner has been allowed to live in an Open Camp is sufficient reward for good behaviour and if a prisoner is drawn towards an Open camp on account of its remissions, factually he is not a fit person for such an institution.

Other rewards.

Besides these, other systems of reward that are provided for are included in rules framed under section 59 (21) of the Prison Act called rewards for good conduct (See part XIX PP 273-275) The Rajasthan Jail Manual) They are :--

Provision.

Our Comments.

- | | |
|-------------------------------------|---|
| (1) Use of books by prisoners. | This should be a facility made available to all regardless of prison behaviour. |
| (2) Money Grant to Reward-Industry. | By the introduction of wage scheme as proposed by the Commission, this clause shall have to be revised. |
| (3) Money Grant to indigent | This is a very good provision but it should come |

prisoners: under After Care. At present this provision has been made ineffective as no funds have been provided in the budget for the same.

- (4) Gratuities to prisoners employed as sweepers. It is a good system. We recommend that a minimum of Rupee one per month be paid to the prisoners employed as sweepers.

The aim of scientific correctional policy through reward and punishment is to rehabilitate the criminal in the society. This involves not only direct effort to inhibit, sublimate and overcome the criminal motivation but also to create an adequately healthy social milieu in which the personality of the convict experiences a feeling of confidence, and assurance of being helped. Social Welfare measures are necessary ingredients for the creation of such milieu. In some of the jails in Rajasthan welfare measures like education, social education, jail panchayat, recreation facilities, cultural activities, canteen facilities are in practice. There is no record available to show as to how many prisoners have been actively involved in such measures of welfare or have benefitted from it or what is the frequency of such events inside the prisons and how effective is the system of communication of welfare plans. A proper record of these should be maintained.

However, there are a number of other factors also which are worthy of attention. Improvement in sanitary arrangements especially in

Other factors.

using disinfectants to avoid foul smell, etc., possibility of introducing some training facilities in small scale industries other than the traditional jail industries. Proper arrangement for mental patient and T. B. patient in jails for inmates and warders is also urgently required.

Group differential.

The system of punishment and reward works differently at different level of cultural and structural background of individual convicts. The same mode of punishment and reward would mean different things to a juvenile delinquent, a woman convict, a casual convict, a habitual convict and the so called incorrigible. A proper awareness of the group-differential in effective channelisation of reward and punishment as media of correction is desirable. There is a juvenile offenders reformatory now at Udaipur, but still a number of such juvenile delinquents are lodged at other ordinary jails. There is no suitable treatment plan for women convicts except the ordinary course of their training in knitting, embroidery works, etc.

RECOMMENDATIONS

The following recommendations are made in view of the need for integrated growth of correctional policy in Rajasthan :—

1. Conditions for 'star-marking' system be changed and the system of classification as recommended by the Commission should be introduced.
2. There should be only two categories i.e. convict Night Watchmen (C.N.W.) and Convict

Overseers (C.O.) whose remunerations and remissions have been recommended in this chapter.

3. The Sweeper should be paid minimum allowance of Rs. one per month.
4. The existing ordinary remissions should continue but special remissions in 12 months are to be reduced from 90 days (Superintendent 30 days and Inspector General of Prisons 60 days) to 30 days (10 plus 20 respectively.) with the increasing use of parole, probation etc., special remissions are not required. The prerogative of the state in granting remission have been defined. Remission for women has been recommended in a separate chapter. For bad conduct, forfeiture in remissions should not be more than three-fourth of the remission due in usual course. Also it should not exceed 12 days and 30 days at a time by the Superintendent and the Inspector General of Prisons respectively and 90 days by the Government for one offence.

Special remission allowed in Anupgarh Open Camp may continue for some time but as a rule it has no justification.

5. It is recommended to provide for clothing for simple imprisonment and for undertrial prisoners also if they do not prefer clothings of their own.
6. Release of infirm prisoners be undertaken in close consultation with the social welfare department. All such cases should be

directly taken up by Welfare Officer for proper rehabilitation and after care preferably through existing State institutions and voluntary agencies.

7. It is recommended that use of cross-bars and standing hand-cuffs be abolished.
8. It is recommended that there should be enough flexibility in matters of interviews and correspondence and other forms of convicts relationship with his kinsfolk. The prison welfare officer should be incharge of such activities and he must have a full record of visits, correspondence etc. regarding each prisoner.
9. The Commission recommends that deposits of cash and eatables should be permitted for the prisoners in all jails in Rajasthan. However, no luxury articles should be permitted. The extent of deposit of cash and eatables should be determined by the Jail authorities keeping in view that such deposits do not create situations where process of adjustment and reforms is disturbed.

CHAPTER XII

PROBATION

In the solution of the problem of crime today, probation and parole play a very significant and important role. Without a well-organised probation service the challenge of crime cannot be met in modern times. The Indian Jail Committee (1919) and the All India Jail Manual Committee (1957-59) have given due consideration to the necessity and development of probation work. Both have recommended introduction of probation as a method of diversifying disposition by courts. The Commission wishes to emphasise the proper organisation of probation service, *inter alia*, for three basic factors related to the treatment and rehabilitation of prisoners.

First, the Jails of Rajasthan, as in other parts of India, have a very large population of convicts with such short sentences as are inadequate for any constructive programme. Unless this large population of short termers is reduced significantly through a wider use of probation, it should be difficult to re-orient and transform the existing jails into centres of treatment and training.

Second, a treatment programme for inmates has to be based on precise and satisfactorily, collected information regarding the development, history, home conditions, social background and

Three Basic
Factors.

rehabilitation opportunities of each offender. Without such information, it is difficult to diagnose his difficulties and place him on a purposive institutional programme, suited to his needs.

Third, for the sake of social, as well as vocational rehabilitation of the prisoner after his release, it is necessary to have continuing contact with his family and his prospective employers, while he is still in prison. The planning of his future is to start well ahead of the day of his eventual discharge.

The treatment and training programme in the institutions have to be oriented to the varying post-release needs and opportunities of each individual inmate and in a scientific correctional system most of them may have to be supervised and helped by competent correctional social workers, during a period of pre-release training or parole. For collecting necessary information about the prisoners and working for his effective rehabilitation, it is necessary to provide each jail with its own field staff of social case workers which may not be feasible for financial reasons and may not even be desirable on administrative consideration.

In the United Kingdom and countries with a system of Criminal Justice similar to our own, there is a system of sending to jails a copy of the Presentence report submitted to the Court by the Probation Officer in respect of a particular prisoner, along with the warrant of his commitment, and this report becomes the initial basis for the classification of the prisoner in the institu-

tion. Probation Officers have also the responsibility of supervising the prisoner released conditionally. In British system there have been welfare Officers attached to jails, who work for the rehabilitation of the prisoners, but there is already a move to amalgamate the services of such welfare officers with those of probation officers, for the sake of greater efficiency in such work.

Jail Committees in the past had to explain the purpose and advantage of applying Probation method in the treatment of offenders. It is no longer necessary to do so. India has a piece of legislation in the Probation of Offenders Act, 1958, which can be applied in all States and is admirably suited to the needs of the existing situation. It has no doubt, excluded from the purview of probation all offences punishable with life imprisonment and death, and thereby restricted its use to relatively less serious offences. Till the courts and the public have greater confidence in probation method, and there is a properly organised probation service to inspire that confidence, it would be of no practical advantage to have more liberal legal provisions. In the matter, for the same would hardly be ever used by the courts. The Probation of Offenders Act, 1958 offers a sound framework for organising probation work, and some of the States, such as Bihar, have utilised it to set up comprehensive and scientific probation services.

**The Probation of
Offenders Act, 1958.**

It would be necessary to give a brief resume of the main provisions of the probation of Offenders Act, 1958.

**Main Provisions of
the Probation of
Offenders Act, 1958**

Sections 3, 4, 6, 8, 9, 10 and 12 contain the main provisions of the Act. Section 3 provides for the release of first offender with admonition, on being found guilty of offences punishable with imprisonment for two years or less or with fine and under Sections 379, 380, 381, 404 or 420 of the Indian Penal Code. Section 4 empowers the court to release a person, not punishable with imprisonment for life or with death on probation of good conduct on his executing a bond for a period not exceeding three years, with or without sureties, to appear and receive sentence, when called upon during such period, as the court may direct and in the meantime to keep the peace and be of good behaviour. The court may get reports from probation officers regarding home conditions etc., and place him under the supervision of a probation officer.

It should be noted that when a person is released under section 3 or 4 of the Act, he is not sentenced for the offence of which he is found guilty and as such no stigma attaches to his character by way of a previous conviction (Section 12). Section 8 of the Act makes it rather imperative for the court to release a juvenile offender below twenty-one years of age under Sections 3 and 4 as, the case may be, and if in any case it thinks that the offender should not be released, but ought to be sentenced to a term of imprisonment, the court shall record its reason for doing so. Section 11 of the Act gives power to the appellate court to review such an order of the court, even if the sentence happens to be a non-

appealable one. Section 8 of the Act gives power to vary the conditions of the bond on the application of a probation officer, after giving a chance of hearing to the offender and his sureties. Section 10 of the Act empowers the court to cancel the bond and pass a sentence for the original offence or impose a penalty not exceeding fifty rupees in case the offender fails to abide by the conditions of his bond. These are the main provisions governing the workability of the system. Section 14 of the Act summarises the duties of the probation officer as below:-

- (a) To inquire in accordance with any directions of a court into the circumstances or home surroundings of any person accused of an offence with a view to assist the court in determining the most suitable method of dealing with him and submit reports to the court.
- (b) To supervise probationers and other persons placed under his supervision and make necessary endeavour to find them suitable employment.
- (c) To advise and assist offenders in the payment of compensation or costs ordered by the court.
- (d) To advise and assist, in such cases and in such manner as may be prescribed, persons who have been released under section 4 of the Act.
- (e) To perform such other duties as may be prescribed.

Since the introduction of probation system in India, juvenile and adult probation are mostly

Probation Services
in some States

dealt with by one and the same organisation particularly in Madras, U.P. and Bihar. The Central Act is meant to bring uniformity in both policy and practice. It has been so far introduced in eight states, while other states are still operating under old Acts.

In Bihar, the Probation service was organised recently under the probation of Offenders Act. From the very beginning, the organisation is well-knit, under the Director of Probation Services, Law Department. Over a hundred officers are operating in that State. The functions assigned to the service in Bihar are:-

(a) Reporting to courts regarding the sociological and psychological circumstances of offenders and persons in respect of whom such reports are called for by courts under provisions of the Probation of Offenders Act, the Children's Act, if any, in force, the Suppression of Immoral Traffic in Women and Girls Act, Chapter 36 of the Criminal Procedure Code, Act against beggary, and such other provisions of law as might require such report.

(b) Informing the institutions dealing with delinquents, such as jails, borstals, certified schools, protective homes and rescue shelters, regarding the sociological background of the inmates so as to help in the individualisation of treatment and training of the inmates.

(c) Supervision and guidance of those placed under probation orders under Probation of Offenders Act or under provisions of any other law for the time being in force.

(d) Supervision, guidance and assistance to those released on license from borstals, certified schools, protective homes and jails.

(e) Assist in the after-care of ex-prisoners, ex-borstal boys, ex-inmates of protective homes and ex-pupils of certified schools.

(f) Mobilising public assistance and co-operation in the field of social defence.

In Madras and U.P., probation work was entrusted in the beginning to Discharged Prisoners Aid Societies. Later, it was brought under the direct control of State Governments. In Madras the Inspector General of Prisons is the Head of the Department. In Madras the scheme has been implemented in all districts divided into seven regions, each with a Regional Probation Officer. The Regional Probation Officers are placed under the Chief Probation Superintendent. Each Regional Probation Officer has a number of probation officers engaged in field work in each region. There are at present 54 probation officers in Madras, including six lady probation officers. Out of this strength there are nine probation officers for Madras City alone, out of which one is earmarked for the juvenile court. According to the Report of the Madras Government, roughly every Probation Officer has to do 25 preliminary enquiries and has 30 supervision cases including females, adults and juveniles. As provided in the State Act, the service is available for all, but usually, it is for first offenders and the cases sent for supervision are mostly for offences like cheating, petty thefts, criminal mis-appropriation etc.

Probation services assist in the work under Children's Act, Borstal Schools Act and also in matrimonial cases and orientation work in prisons. Probation Officers have to undergo three month's training at the time of the appointment.

The Central Probation of Offenders Act was given effect to in May, 1960, in West Bengal. Prior to this the State had its own Probation of First Offenders Act. The scheme is in operation in seven districts. The Inspector General of Prisons is the head of the Department. The Chief Probation Officer has 20 officers working under him, including two ladies. The city of Calcutta with a much larger population than Madras has only one male and two lady probation officers with an average case load of 35 per officer. During the period May, 1960 to June, 1962, there were 1400 probation cases in the entire State and the percentage of failure was not more than five.

U.P. is still working under the provisions of U.P. Probation of First Offenders Act of 1958 and rules framed thereunder in 1939. In October, 1947, probation service was instituted as a separate department and was put under the Home Department (Criminal). In 1955 the department came under the administrative control of the Inspector General of Prisons but in 1960 it came under the Director, Social Welfare. The Chief Probation Officer is the liason between the Director of Social welfare and the probation service. Probation work has been introduced in 32 districts.

In 1954, intensive probation scheme was enforced in Kanpur and now it has spread to five cities. Under this scheme, probation is used in as many cases as possible, with the cooperation of the police. It has proved quite successful and the percentage of failure is hardly four. According to the Report of the Chief Probation Officer, for 1962, the average case load of a probation officer in the districts is 70, which is considered to be high. A lady probation officer was appointed in 1958 to look after the rehabilitation of female offenders. Under the U.P. Children's Act, Reformation Officers have been appointed under the Social welfare Directorate in Agra, Varanasi, Lucknow, Allahabad and Kanpur.

In Maharashtra and Gujarat, the probation organisation is of a quasi-governmental type. It is organised district-wise locally. The administration is entrusted to an association called the District Probation and After-care Association set up in each district with local effort and participation. These associations have their own constitutions and they can appoint their own probation officers. A large number of probation officers from government, cadre are, however, loaned to them. The State Government bears a certain percentage of the Associations' expenditure. The district associations are affiliated to the parent body, i.e., the State Probation and After-care Association.

In Greater Bombay, probation is organised and administered by the Children's Aid Society, which specialises in correctional work amongst

juveniles. It provides probation, institutional services and preventive work. Its jurisdiction is limited to Greater Bombay only. The society is authorised to appoint its own personnel and a large portion of its expenditure is borne by the State Government. Outside Greater Bombay, probation work with juveniles is carried on by the District Probation and After-Care Associations affiliated to the Maharashtra State Probation and After-care Association. This Association handles adult probation work in Greater Bombay. In other districts adult probation work is the responsibility of Chief Officers (Probation) under the Directorate of Social Welfare.

Probation in
Rajasthan.

The application of the probation method means not merely providing a method of disposition for offenders. It means simultaneously the introduction of a new standard in criminal justice. Again it means that not merely the offence but also the character of the offender and his rehabilitation becomes a valid consideration to be taken into account by courts in the process of criminal justice. Once such a new standard in criminal justice is accepted, the cause of guaranteeing equality before law to all citizens warrants a simultaneous extension of the same to all parts. Organisational difficulties might justify some delay in the extension of the measure to some areas of a State, but it is not desirable in any case to proceed piecemeal in the work. It is a matter of satisfaction that the Government of Rajasthan has brought into force the Probation of Offenders Act, 1958,

throughout the State since January, 1962. This is the third State in India to have covered the entire territory of the State under this legislation.

We are of the considered opinion that in the circumstances of Rajasthan the probation service is needed for the following purpose in relation to the treatment and rehabilitation of prisoners :

(i) Providing information regarding the antecedents, character, home conditions, social circumstances and rehabilitation opportunities of offenders through preparation of pre-sentence report or otherwise, when called for by appropriate authority from Probation Officers.

(ii) Supply further information regarding the suitability for release on leave, parole and premature release, when called upon to do so by a competent authority.

(iii) Supervising parolees, when required to do so under orders of a competent authority and running homes or hostels maintained for them.

(iv) Contacting prisoners well ahead of their eventual release for assisting them in social and vocational rehabilitation.

(v) Giving advice and guidance to released prisoners, where needed, looking after care homes, and mobilising social support for rehabilitation of released prisoners.

(vi) Maintaining records of such cases as directed by Government.

Points to be considered in organising Probation services.

It must be noted that in building up a proper probation service the points, which apparently need consideration are the following:—

- (a) What are the functions to be assigned to such a service ?
- (b) What is likely to be the best organisational set up for it ?
- (c) What should be the grade of pay scales and qualifications for probation officers ?
- (d) What steps are necessary to realise effectively the purposes for which this is to be organised ?

In the following paragraphs, we have tried to assess the needs and conditions of Rajasthan in relation to the above mentioned issues.

Essentially, the service is expected everywhere to serve the purposes of the probation of Offenders Act, under which it is created, but few States have restricted the functions of officers appointed under this Act to the requirement of the Act, and, as indicated above we have ourselves sought to utilise it for a different purpose, namely the treatment and rehabilitation of prisoners.

Some States in the country have failed to build up such an integrated probation service either through historical accident or owing to a lack of coordination among different departments or agencies handling such services for children and adults or others. The difficulties, which arise from duplicating agencies for the

various types of allied correctional social work services are practical in nature viz;

(i) The number of officers assigned to each task is less than the requirement and are unable to cover the vast tracts of the State concerned effectively and efficiently.

(ii) Working in separate compartment, they are unable to share in each others work or specialise in technique.

(iii) Cadre, in respective sphere being small, the number of supervisory posts and opportunities for promotion are so limited that suitable persons are not attracted to the service.

(iv) With the small amount of money, which states are able to set apart for developing correctional social case work service, duplication of the same at each place is a waste, which must be avoided.

(v) The number of qualified persons for handling this service and guiding and directing it with competence is very limited.

(vi) It is increasingly being realised that the problem, to be solved in the field of Social pathology, embrace simultaneously the child and the adult, those who earn and those who are dependent on them, the law abiding and the deviate, and the man as well as the woman. To distribute Social case work service in relation to different situations of deviation or destitution or by age and sex of those involved, causes visits to the same problem family, by persons serving under different organisations & a com-

partmental approach by each, which is inadequate for a solution of the total family problem.

For reasons mentioned above we are of the opinion that Rajasthan Government would be well advised to have a single agency for Correctional social work as has been done in Bihar.

Dimension of the
work.

There can be widely divergent estimates of the probable and possible dimension of the probation work involved under the Probation of Offenders Act, 1958, depending upon views regarding the extent to which this measure is going to be used by the courts in Rajasthan. There was in the past a provision for releasing certain categories of offenders on probation under Section 562 of the Criminal Procedure Code, but this was very sparingly used by the courts. The impression in general has all along been that probation is a measure of leniency to the offender to be used only in exceptional cases on grounds of age or sex of the offender or the special circumstances of the offence. Such a view of probation is not peculiar to our country. In other countries also, probation started as a measure of leniency, but the position has now changed radically. Probation is now preferred as the most suitable method of dealing with certain types of offenders, in the interest of protecting society. The following extract from *The Results of Probation*, a publication of the Cambridge Criminal Science series, indicates the dimensions, which this method of dealing with offenders, has acquired in Britain.

"In 1956, 1,16,000 persons were found guilty by the courts in England and Wales for indictable offences, that is to say, for the more serious crimes, and as many as 28,000 or roughly 25 per cent were placed on probation. Four out of every ten offenders below seventeen and approximately one out of every six adults, are being dealt with in this manner. Indeed the use of this particular treatment has been carried to such a great extent that in the case of adults, probation may be said to be an equal deprivation of liberty in its practical importance." Again the same publication mentions that "At any time there are approximately, 21,000 adult delinquents detained in penal institutions (jails, borstals, and establishments for corrective training and preventive detention) and 20,000 undergoing probation."

The above figures relate to those placed on probation with supervision. If the number of those released without supervision is also taken, the proportion of those dealt with by this method shall be much higher. The reason for the phenomenal increase in the use of probation, which has taken place in advanced countries during the recent years, is primarily a feeling that all those, who may be depended upon to get suitably adjusted to the society, should be given a chance to do so in the larger interest of the community, subject to adequate protection and security being guaranteed to the public. Scientific case work, by qualified and trained probation officers possessing integrity and enjoying the confidence of the public, has helped

to extend the limits of those, who could be considered suitable for such treatment by courts. It may well be expected that in India this method would be used as frequently by courts as imprisonment.

The scope for using this method without detriment to social protection is very large in our country. The following table indicating the percentage of those admitted to prison with sentences below two years reveals the possibilities of this method to some extent.

P E R C E N T A G E (1959)

Sentence	Andhra Pradesh	Bihar	Bombay	Madhya Pradesh	Orissa	Punjab	U.P.	Delhi	Madras
Not exceeding six months.	67.3	30.5	92.5	25.7	86.4	33.1	20.7	33.0	62.6
Above six months not exceeding two years.	11.3	22.8	5.8	22.1	9.9	29.9	26.5	28.3	18.2
Total	78.6	53.3	98.3	47.8	96.3	63.0	47.2	61.3	80.8

Even if probation is used in suitable cases of those sentenced to such short terms of imprisonment, there would be very substantial numbers on probation.

The dimensions of probation work have to be assessed not merely on the basis of the number, which is likely to be granted probation. The work starts with undertrials and the volume of work would depend largely on the number of pre-sentence enquiries ordered to be made in Rajasthan. During 1959, 10,000 undertrials were admitted to prisons. It is not known what number remained on bail, without being committed to jails. Nevertheless, if only 50 per cent of the cases of these undertrials were referred to probation officers for pre-sentence enquiry, there would be 8,000 cases to be enquired into by them

The work Load.

In 1962-63, according to the Report of the Inspector General of Prisons, Rajasthan, the number of undertrials admitted during the year was 12,730. With a reasonable use of the probation method, there might be about 2,500 placed on probation annually, which would give a daily average of about 4,000 on supervision in Rajasthan. We have no precise statistics to anticipate the volume of work under the Children's Act, which might be passed in Rajasthan in course of time. Rajasthan has largely rural conditions and perhaps the cases may probably be below 1500 for some years. The enquiries to be made by probation officers for prisons, reformatory schools, certified schools, borstals and protective homes, are not likely to exceed

2,000 for the present. The number of matrimonial cases shall be insignificant. The total number of cases of enquiries, supervision and rehabilitation would not thus exceed 15,000 for some time to come.

There are, however, a number of other considerations of importance in evaluating the task, which probation services would have to face in Rajasthan. Probation and related services in other advanced countries work for the rehabilitation of offenders within a set up providing for a system of social security, which guarantees a basic minimum of welfare at State cost to every citizen. Their task is limited to referring cases to appropriate welfare agencies, which may extend to the probationer the assistance required. In our conditions, the probation officer has a heavier task to perform in securing the rehabilitation of each case, for he has to discover the possible opportunities all by himself. Secondly, while making enquiries or supervising cases, areas to be covered in our rural conditions are very extensive and communications are not always easy. If probation supervision is to be as meaningful as it is intended to be, it should be possible for the person, under whose charge the probationer has been placed on supervision, to be in a position to enter his life truly as a friend, philosopher and guide and be readily available at hand to offer him the necessary advice. This difficulty can be overcome to some extent, in our opinion, if probation services have a complement of voluntary social workers to assist them. Such volun-

tary social workers may give the necessary information, local support and exercise supervision over probationer, residing in remote rural areas. In appointing, voluntary social workers for probation work, preference should be given to suitable persons from the teaching profession.

In considering, the totality of the needs of the probation officers, we cannot lose sight of the fact that in a scientific system of supervision, it would be necessary to have a number of probation officers available in each probation area, out of which the courts or a duly authorised agency may select the most suitable person for exercising supervision in respect of a particular case. Probation Officers differ in their personality make-up, as do the probationers, and not all probation officers are suitable for guiding every probationer.

Lastly, we would like to emphasise the need of having at least one Lady Probation Officer in each probation region. Probation enquiries lead to investigations of home conditions of the offenders. If these home conditions are to be enquired into properly, it would be necessary to contact women in the family. A lady probation officer can probe deeper into domestic matters. Even in Britain, which has no *purdah* system, there is a legal requirement for providing one male and one female probation officer for each court. Rajasthan would be well advised not to neglect this essential component of a scientifically organised probation service.

Lady Probation
Officer.

To add to the above mentioned work of a routine nature, the organisation of probation work in Rajasthan would involve initial administrative difficulties, as well as the task of mobilising public opinion, advising social workers, assisting voluntary agencies to be organised and informing courts regarding the measure.

Organisational
Set up.

We consider it unnecessary to go into an academic discussion whether probation services should be organised on local or on a centralised basis or whether it should be run by Government or through voluntary agencies. When the measure is being introduced simultaneously throughout the State, there is no reason for setting up diverse local units. There are no appropriate voluntary agencies in the State to take over the entire responsibility of providing the necessary services to the courts throughout Rajasthan. Therefore, while it would be highly desirable to have voluntary agencies, with competent voluntary social workers, to perform various aspects of probation work either within local limits, or in respect of particular categories of offenders, the over-all responsibility for organising, developing and maintaining proper standard of probation work, must rest with the Government.

Probation
Directorate

As probation services are still comparatively new in most states of the country, a definite policy regarding its control has not been formulated. The Central Bureau of Correctional Services, Government of India, may be in a position, to frame a guiding principle at a later stage.

At present probation is under the Social Welfare Department in Assam, Gujrat, Himachal Pradesh, Jammu and Kashmir, Delhi, Maharastra and Uttar Pradesh. It is under the Prison Department in West Bengal, Kerala, Madras, Punjab, Bihar and Andhra Pradesh. In Mysore it is under the Director of Probation Services. In Madhya Pradesh, though the Inspector General of Prisons, is the chief controlling authority, probation is under the Law Department. The Social Welfare Evaluation Committee of Uttar Pradesh (1959-60) had pleaded for placing it under Social Welfare. But the All India Jail Manual Committee 1957-59, has recommended the bringing together of all correctional and social defence services under a single department of the Government.

The Commission recommends that the Department of Probation should remain as a separate directorate under the Home Department at the Government level. It should be a part of the Jail Department. The Director of Social Welfare drew the attention of the Commission to the fact that this question had already been considered by the Government and that it had been decided to keep probation with the Social Welfare Department at the Government level. However, the Commission feels that the cause of probation shall be served better, if it is placed under the Home Department with a separate Directorate. The officer in charge may be designated as the Director of Probation Services.

Probation Officers
and Regional
Probation officers

It has been observed above that the total number of cases of enquiries, supervision and rehabilitation, would come to 15,000 a year. Considering the little distances that might have to be covered by the probation officers of Rajasthan, making enquiries and supervising cases and other practical difficulties, we are of the opinion that a case load of 250 per year, per officer, on the average for the whole State, would be a fair assessment of the amount of work, which might be expected of him. On this basis, Rajasthan may need 64 Probation Officers eventually.

Under the Third Five Year Plan, the Government of Rajasthan has drawn up a scheme for Probation Services, which is as follows :—

HEADQUARTERS

S. No.	Name of the Post	No. of Posts	Scale of Pay
1.	Chief Probation Officer	1	Rs. 285-25-510-EB-25-560-30-800
2.	Probation Officer	1	Rs. 225-485
3.	Upper Division Clerk	1	Rs. 105-5-150-8-190-10-240
4.	Lower Division Clerk	2	Rs. 90-4-102-EB-4-110-5-150.
5.	Peon	3	Rs. 45-1-70

FIELD SERVICES

1.	Probation Officer	18	Rs. 225-10-275-EB-10-285-15-435-25-485.
2.	Lower Division Clerk	18	Rs. 90-4-102-EB-4-110-5-150.
3.	Peon	18	Rs. 45-1-70

According to the scheme, one Probation Officer is to be posted at the headquarters to assist the Chief Probation Officer, while one shall be appointed as in-charge of the State Probation Home. The remaining 18 Probation Officers are to be distributed as follows in such a manner as to cover the entire State :—

S. No.	Name of the Place	Coverage (Name of District)
1.	Jaipur	Jaipur
2.	Sikar	Sikar and Jhunjhunu
3.	Alwar	Alwar
4.	Bharatpur	Bharatpur and Sawai Madhopur
5.	Bhilwara	Bhilwara and Chittorgarh
6.	Ajmer	Ajmer
7.	Udaipur	Udaipur
8.	Bikaner	Bikaner and Churu
9.	Ganganagar	Ganganagar
10.	Jodhpur	Jodhpur and Nagaur
11.	Barmer	Barmer and Jaisalmer
12.	Sirohi	Sirohi and Jalore
13.	Tonk	Tonk
14.	Pali	Pali
15.	Kota	Kota
16.	Dungarpur	Dungarpur
17.	Banswara	Banswara
18.	Jhalawar	Jhalawar

The scheme has provided for an annual expenditure of Rs. 2,000/- each on the following

items (i) material assistance to probationers, (ii) publicity and (iii) assistance to recognised societies. Although the amounts provided are small, they represent a commendable fore thought and if properly utilised, the same may help to provide a fair start to probation work in this State. The above-mentioned provision of staff may be considered inadequate in terms of long term needs.

The Chief Controlling authority should provide professional advice in probation matters to Government and leadership for the extension of probation services in the State. He should explain measures to courts and public, give training and guidance to probation officers and voluntary social workers. He should create public confidence, as well as ensure proper utilisation of not only probation, but also other social defence services. We are of the opinion that it would be necessary for the State where such services are being created for the first time to have such a functionary to progress satisfactorily in the matter of probation and other social defence measures. A subordinate officer in the capacity of a Chief Probation Officer is needed for other functions to be described hereafter and can be no substitute for a Director of Probation Services.

One Chief Probation Officer has been provided in the scheme. This officer would be needed for giving special guidance to probation officers regarding individual cases, safeguarding the integrity of probation work, organising supervision of probationers and rehabilitation work

over an area larger than a district. There should be facilities for transferring cases, assessing the needs and providing financial assistance to probationers, social workers and voluntary agencies, with integrity and competence, conducting pre-sentence enquiries on his own, when specially required by courts to do so, mobilising public support for social defence services and crime prevention work in the area of which he is incharge, providing guidance and supervision and administrative control over probation work in general in a given area. With a single Chief Probation Officer, exercising these functions throughout the State, probation work would be greatly handicapped for lack of quick decision and on account of the inevitable extra-ordinary amount of correspondence and clerical work, when the probation services come to be utilised to a significant extent. In Britain, there is a principal Probation Officer for each probation area, which is ordinarily of the same size as a district in many parts of India. In Bihar also, a Principal Probation Officer has been provided in each district for these functions. In Madras, a Regional Probation Officer is provided for a group of Districts.

We are of the view that since Rajasthan is only making a beginning, it may have a Chief Probation Officer at the headquarters for the remaining period of the plan. Rajasthan should try to provide one Principal Probation Officer to each administrative division. These Officers may be in the scale provided at present for the Chief Probation Officer in Rajasthan, viz:

Rs. 285-25-510-EB-25-560-30-800. This Officer may be provided with a reasonable complement of subordinate staff. We would like to emphasize that this officer must also have adequate knowledge and experience of probation work and the purpose would be served, if an officer with an experience of a general type of social welfare work with the necessary experience of correctional and social case work, is appointed.

The total number of probation officers appointed for field work being only 18 at present, it would be difficult to provide a prompt service to all the courts in the State. There are places of detention of undertrials at 82 towns at present and all of them have courts to be served by probation services. On grounds of population and number of cases, it might be desirable to maintain only 18 probation areas as planned for the scheme. But this number would not serve the purpose. If the finances of the State do not permit the appointment of probation officers in each district, necessary facilities should be provided to the probation officers, who have a wider jurisdiction to function effectively. The Commission would have liked to suggest appointment of non-official or part-time probation officer, but keeping in view our present social and political conditions, it does not favour the idea. The Commission also does not favour the idea of Associate probation officers.

Whenever, the case load justified, Assistant Probation Officers should be appointed at least in the grade of Rs. 130-5-155-10-210. These

officers would assist the probation officers in the area of pre-sentence enquiries and supervision and look after the routine work of the office. The Commission feels that instead of appointing clerical staff for the highly technical job of probation services, it would be in the interest of a most scientific, probation services, to have qualified probation officers or Assistant Probation Officers, as far as possible.

If in view of the case load or paucity of adequate number of probation officers, the courts feel, they should be empowered to appoint Special Probation Officers, selected from a panel of names, prepared by the District Magistrate, preferably a lady. These Special Officers can be paid only ordinary Travelling Allowance and Daily Allowances, permissible to a Class II Officer.

One of the basic reasons for the frustration, which has been experienced in some States in the matter of development of probation work, is that individual probation officers working for the cause in the district are unable to attract public attention to the cause. Being poorly paid and often a non-gazetted officer, he is even unable to get a hearing at places, where he may be expected to advise and assist. Probation work requires mobilization of the resources of the community. For social acceptance of one in social difficulties, for organising social support for probation work, informing courts of the extent to which the probation method is being utilised in the area by them, and for considering steps that are being taken towards super-

Probation
Committees.

vising and rehabilitating offenders, it is advisable to have committees of non-officials and officials. Bihar has such committees at the district, as well as the sub divisional level. The District Magistrate should be the chairman and the principal Probation officer should be the secretary of this committee. The same committee may have under its purview the homes run by the Social Welfare Department so that probationers may derive full advantage from the same.

The members of the local committees should be the following :—

- (1) The District Magistrate, Chairman.
- (2) The Chief Probation Officer, Secretary.
- (3) The Social Welfare Officer, Joint Secretary.
- (4) A nominee of the District and Sessions Judge.
- (5) The Inspector or Deputy Inspector of Schools.
- (6) The District Medical and Health Officer.
- (7) The City Magistrate or Sub-Divisional Magistrate Headquarter.
- (8) The Superintendent of Police.
- (9) The Superintendent of Local District or Central Jail,
- (10) The *Pramukh, Zila Parishad*.
- (11) A Voluntary Lady Social Worker, nominated by the Government.
- (12) The local M. L. A. and M. P.
- (13) The Employment Officer.

(14) A Representative of Commerce and Industry.

The functions of the committee should be the following :—

- (1) to enlist public co-operation in probation work and give such aid and advice as may help in its proper functioning,
- (2) to recommend suitable persons, homes or hostels or other institutions considered fit for exercising supervision and care over probationers, and
- (3) to take steps to form suitable societies and establish suitable homes, hostels or institutions for the exercise of care and supervision over probationers in the district and to utilise the services of such homes, if they exist in the district.

We are of the opinion, that such committees would prove useful in Rajasthan and recommend that the committee of this nature may be contemplated for the State as a whole as well and while doing so the committee at the State level may be made comprehensive enough, to include all correctional services within its scope.

Probation work has been by tradition a special field for voluntary Social work. At present, there are no voluntary societies in the State, which are fully equipped to undertake responsibilities in this regard. We are of the opinion that, in the absence of the same, it is necessary for the State Government to take necessary steps to create and organise them. The rules regarding formation of societies provided in the

Voluntary Societies
and Social workers.

Rajasthan Probations Rules are far too rigorous for stimulating such a development and steps should be taken to relax them in a manner, which might enable newly formed agencies to take up the work, provided they have persons of standing and integrity in effective control of the organisation. Such a relaxation is deemed necessary in the special circumstances of Rajasthan, where such societies do not exist at present as might help effectively in the field of social defence. The entire organizational set up of probation work may be looked upon as a lever for moving the voluntary effort of society in the direction of social defence and if cannot be said to have realised its goal unless it has succeeded in accomplishing the same.

Material assistance
to Probationers

In most parts of the country, no provision is made for material assistance to probationers. In our conditions at present, when there is no general scheme for social security for the community as a whole, probation work is not likely to be effective in rehabilitating individual cases, unless the probation services have at their disposal a medium of material resources, which they might make available at once to cases in genuine need of the same.

Probation Homes
and Hostels.

Bihār has done pioneering work in the field of probation with regard to providing an institutional set up for probation supervision. An account of the same is given below :¹

“Sub section 4 of section 4 of the Probation of Offenders Act (1958) has provided that in

¹ 1. Ray, D. N. *Probation Service in Bihar*.

addition to the conditions, which a court might impose upon an offender for release on probation, it might impose him residential requirements as are often made by the courts for securing specialised case work. This approach might be needed either in cases of physical, mental or emotional difficulties or in those of Social or vocational rehabilitation. Such specialised treatment requires an institution set-up. Where medical or psychiatric assistance is required, our practice is to refer the case to appropriate hospitals, sanatoria or clinics. For other cases, that is those requiring psychotherapy or efforts for rehabilitation, a modern probation organisation maintains probation hostels and probation homes”.

“The Bihar probation of Offenders Rules (1959) have provided in this regard that the State Government may maintain or approve premises for the reception of persons, who may be required to reside therein by a supervision order. Such premises are called probation hostels, if the persons residing therein can be employed outside the premises and such premises are known as probation homes, if the entire care and treatment is institutional. One such probation hostel-cum-home has already been organised at Ranchi. It is perhaps the first institutional approach within the probation framework. This institution would assist in removing a person from unsatisfactory home surrounding and giving him a fresh start in life under constructive guidance and supervision of probation officers.”

It is gratifying to note that the Government of Rajasthan have already declared eight shelters and homes, as probation homes and a special home for juveniles is also there. However, it is hoped that in due course as probation work is extended further in the State, separate probation homes and hostels would also be set-up. The commission feels that there should be a central home for adult probationers in the capital of the State.

Scientific probation work requires a solid grounding in social sciences, social case work techniques as well as the practices and procedures employed in the field of correctional work are essential at all levels of probation work.

The Commission is of the view that probation work being of a very specialised nature, duly qualified persons should be recruited for the same and given in-service training at least for six months. A probation officer should possess a university degree, preferably with Social Science as a subject and also post graduate training in a recognised institution, such as the Tata Institute of Social Sciences, or Kashi Vidyapith or a University Department. Similar requirements of qualifications should apply to welfare officers.

We recommend the following plan for training of probation staff:—

- (i) All whole time salaried probation officers and Chief Probation Officers should receive training at least for two years.

In case they possess the Master's degree in one of the social science, they may be given practical training for not less than six months.

- (ii) The post graduate course at the Tata Institute of Social Sciences, Bombay, Kashi Vidyapeth, Varanasi or similar institutions are considered suitable for those needing a two years' course of training. The Central Bureau of Correctional Services may be approached for arranging the practical course of six months for those who need the same. The Central Bureau of Correctional Services may be approached for organising orientation courses and seminars for training the administrative and planning level personnel and magistrates of juvenile courts. A training reserve of at least 10 per cent of the paid cadre should invariably be provided in the sanctioned strength for getting the staff trained in due course. The Commission would welcome if arrangements for such a training are made in post graduate institutions in Rajasthan.

In the Third Five Year Plan, Rs. 13.60 lakhs was provided for social Defence Services in Rajasthan. Due to various reasons only 41,000 has been spent in the first two years of the plan period. Thus far only 15 Probation Officers have been appointed. One Beggars' Home and two Remand Homes are provided in the Plan.

Care of the
Children and
Children's Act.

They have yet to be organised. These institutions should be organised without delay.

The Draft Rajasthan Children's Bill prepared on the lines of the Bombay Children's Act was sent to Government for introducing the same in the State. By the time it could be finalised the Central Government had passed the Children's Act for Union Territories and desired that the State Government may adopt the same if there is no Act already in vogue. In case the State had its own Act it was desired to be amended according to the Central Act. The revised Draft Act and Rules based on Central Act of 1960 were prepared and approved by the Central Government.

The approval of the State Legislature is being awaited. No probation service, no plan for minimising juvenile delinquency and no Remand Home can really be useful without a Children's Act and the Commission hopes that the same shall soon be enacted in the State.

Probation and Parole are two great measures in modern penology. Where these rules are in operation, full advantages are taken by the prisons. Out of 3,38,836 persons released from the prisons in 1960, in the twelve States in India, 63,928 were released under remission system, 515 for sickness and 9,057 for "other reasons". The latter included mostly parolees and probationers. Uttar Pradesh, West Bengal and Maharashtra were the first three in such releases, i. e., 4,473 males, 37 females; 1,483 males and 106 females; and 2208 (males and females both), respectively. As indicated above, both these provisions are so

sparingly used in Rajasthan, that there was only one release under parole or probation in the last three years.

SUMMARY OF RECOMMENDATIONS.

1. Probation should be regarded as a method of diversifying disposition by courts.
2. Probation services should be properly organised and its extensive use should be made for short-termers.
3. For effective rehabilitation, it is necessary to have a large field service of special workers with special training in correctional work including probation.
4. The services of Jail Welfare Officers and Probation Officers should be coordinated for the sake of greater efficiency.
5. A Children's Act is very necessary for the State and the State Legislature should enact it soon.
6. Probation officers shall serve better if there is a Children's Act.
7. A Beggars Home and two Remand Homes are immediately required.
8. Probation is not only a method of amenities. It introduces a new standard in criminal justice. It is not procured piecemeal in such a scientific work.
9. A network of properly organised probation service is needed in Rajasthan and its modus operandi in relation to the treatment and rehabilitation of prisoners is

given in the chapter. Probation officers have to provide full information and history of the offender, report on the suitability of his release on parole, probation or leave, supervise the parolees or probationers, contact prisoners well ahead of their eventual release, give advice and guidance to released prisoners etc.

10. There should be single agency for social case work situations in the correctional field and duplication of agencies for the various types of allied correctional and related social services should be avoided.
11. Probation is not a method of leniency. It is the most suitable method of dealing with certain types of offenders in the interest of protecting society.
12. It may not be possible for the State to provide for an adequate number of probation officers to cover the vast area of Rajasthan. There should be a panel of voluntary social workers to assist them. The courts may select an honorary probation officer out of this panel. But the Commission does not favour the appointment of fully authorised non-official probation officers, even on part time basis.
13. There should be one lady probation officer in each probation region.
14. It would be desirable to have voluntary social agencies, local and on State level to perform various aspects of probation e. g. to run aftercare homes, etc.

15. Over-all responsibility of running probation work should be of the State and it should be placed under the Home Department. The Chief of the Probation services be designated as Director of Probation Services. The volume and technicalities of the work involved justify the creation of such a post.
16. Since Rajasthan is making a beginning, it may have a Chief Probation Officer at the Headquarters and in course of time one Chief Probation Officer for each administrative division.
17. There should be local probation committees with the District Magistrate as Chairman to help the local probation officer.
18. The rules regarding the formation of voluntary societies in such spheres, as laid down by the Government of Rajasthan, are too rigorous to stimulate their formation and development. The rules need relaxation.
19. The State should set up probation homes and hostels in adequate numbers.
20. Trained personnel are needed for probation work. Suggestions for such training are given in the Chapter.
21. A training reserve of at least ten per cent of the paid cadre should invariably be provided in the sanctioned strength.

CHAPTER XIII

ADMINISTRATION

Administrative set-up of the jails was considered for the first time in some detail by a committee appointed by the Government of India in 1877. The All India Jail Manual Committee 1957-58, was the latest attempt to devise a scientific and efficient pattern for the management of jail.

Jail administration is a highly technical job and much more difficult than many other social services. In its realm recalcitrant element in the society is to be handled. A diseased limb has to be cured. Besides apathy towards the so-called criminals has to be overcome.

In advanced countries adequate status has been given to Jail Department. In Rajasthan also, the status of this Department and its staff should be raised. न्यायमय नयन

Trained Staff

Duties can be performed efficiently only if there is a qualified personnel and a contented staff. On close observance of the present ministerial and executive staff of the Rajasthan Jail Department, it is obvious, that apart from the training imparted to the Warders for 4 months and a half, the majority of the executive members of the staff is not properly trained and their educational background is rather weak. In the executive staff, the Inspector General of

Prisons, the Assistant Inspector General of Prisons, five Superintendents, three Deputy Superintendents, four Jailors, two Deputy Jailors and one Assistant Jailor are trained in the regular line of training. Some of the above officers have received their training at the Jail Training School, Lucknow. Assistant Jailors are given training for six months by the Jail Department which is not sufficient for the purpose. The training programme has been proposed separately.

The attention of the Commission has been repeatedly drawn to the low pay scales of the staff. We found that it is almost a general demerit of the jail staff that in emoluments, they should be equated with the Police Department. It has been brought to our notice that some sort of parity which existed between the pay scales of these two departments in 1951, has been disturbed during the successive pay revisions. We feel that in the interest of efficient jail administration this disparity should be removed.

Emoluments

Jail staff suffers from certain handicaps and disadvantages. There are lesser number of holidays, the nature of work entails lots of mental tension and longer hours of work.

Facilities and amenities.

It has been reported to us that in most of the sub-jails, there are no staff quarters either for the Assistant Jailor or for the Warders. The latter live in some sort of improvised dormitory and the former occupy either one small outer room of the jail or use a vacant room as a living room. We recommend that proper family

quarters within the campus of the jail or adjacent to it should be provided.

Accounting
procedure.

Complaints were made to us that in certain cases some members of the staff did not get their salary in time; sometimes for months together, they could not get their pay. On an enquiry, it was found that some of them could not get their pay in time on account of their frequent transfers. The Inspector General of Prisons has addressed the Government on the subject and it is expected that orders will follow soon.

Lock-ups.

One great handicap in penal reform in this State is the plethora of tiny lock-ups, maintained at most of the sub-divisional headquarters. It may be desirable to provide local judicial facilities, but tiny lock-ups, where prisoners have to stay for months for the disposal of their cases, are expensive. Three sub-jails have no latrines. 12 sub-jails have no proper accommodation for female prisoners. 12 lock-ups are lodged in dungeons of old days.

Sub-Jails should not be confused with Police lock-ups. Those convicted for a period of one month or less are kept over there. The number of inmates (undertrials and short-term convicts) ranges between 8-10. It is even 3-5 in several lock-ups. A large number of warders has to be employed to keep watch over them. No reformatory activity is possible in such small units. The Jail Act of 1894 requires segregation of juveniles, females and undertrials. The same is not possible in these small structures. To give an instance, the lock-up of Gangapur

(District Bhilwara) is constructed like village hut with a tin roof.

Some lock-ups have tolerably good buildings e. g., Tonk, Kishangarh, Bhilwara and Bharatpur. But these buildings are not being looked after properly. The number of inmates in these lock-ups is very poor. Good buildings are deteriorating fast. In modern Corrections, classification of prisoners is the starting point towards reformation. Diversification and specialization of programmes are very necessary. It is not possible to do so in sub-jails. The Inspector General of Prisons cannot effectively control such a widespread network and he cannot reshape human material passing through the gates of these institutions.

As a result of the existence of a large number of lock-ups in Rajasthan, the total expenditure of the Jail Department becomes needlessly expensive. The above is apparent as out of a total jail budget of approximately Rs. 33 lakhs (1962-63) (excluding expenditure on the purchase of raw materials) Rs. 11,51,101 was spent on 78 sub-jails with an average daily population of 1,380. The per capita annual expenditure in sub-jails is Rs 834.12 P. as against Rs. 475.13 P. incurred in Central Jails. In 1962-63, the average daily population of the two Central Jails was 1,771, while the annual expenditure was Rs. 8,41,455. In the four A Class District Jails on an average daily population of 1,237, the expenditure was Rs. 7,95,338 and Rs. 2,05,584 on two B Class District Jails where average daily population is 400.

Expensive units

The following table shows the per head per day expenditure on all classes of prisoners. :—

Class of Jails	Daily Population	Expenditure (Rupees)	
		Total per head per year.	Total per head per Capita.
All Jails	4,788	615 00	1.68
Central Jails	1,771	475.15	1 30
'A' Class District Jails (4)	1,237	643.12	1.75
'B' Class District Jails (2)	400	513.76	1.41
Lock ups	1,380	834.19	2 29

Difficulties in closing Lock-ups

The Commission is aware that there are certain practical and technical difficulties if all lock-ups are closed. In view of the considerations of speedy justice, paucity of transport facilities, difficulty in the escort of undertrials and procuring witnesses etc., the Commission is not recommending the closure of all lock-ups at once. The Commission is, however, in favour of reducing the number of lock-ups as a first step. We, feel strongly that each district headquarter should have a district jail, unless of course two district head-quarters are in close proximity to each other.

While recommending the up-grading of lock-ups at district head-quarters to District Jails, the Commission is aware of one great handicap in the implementation of this proposal. If all district headquarters are to have a district jail they may not have sufficient man-power, because, at the most, the total average daily jail population of Rajasthan is not estimated to be more than 5000 for years to come. Out of this, it is

expected, 1,800 shall be lodged in Central Jails and about 400 shall stay in open camps, while 50 p. c. of the remaining number would be probably be undertrials. The remaining number shall hardly be sufficient for essential services in the jails. Naturally, the jail industries which are concentrated, besides 2 Central and in 8 District Jails, are liable to be split up in small jail units which will be uneconomical and this will also make it difficult to introduce wage-scheme in such units.

We therefore, propose that while the ideal should be to have one district jail at each district head-quarters, the up-grading should be a phased one. Apart from the existing district jails, in the first stage the districts of Bhilwara, Tonk, Bharatpur, Sirohi and Jhalawar should have district jails. This would reduce the number of sub-jails by five. The aforesaid sub-jails have good buildings, sufficient land and water facilities. We propose that lock-ups, which fall within a radius of 35 miles of a district head-quarter should be closed when a District Jail is allowed to be opened at the headquarters of the district. Lock-ups which are closed, should transfer their prisoners to Jail or sub-jail at a district head-quarter. Such sub-jails at district head-quarters should be classified as 'A' class sub-jails. It is recommended that sub-jails should not be closed in such places where there is apprehension that such closure would entail difficulties for the police to transfer the undertrials from police to jail custody, after production before a magistrate within 24 hours.

Gradual
up-grading.

We have carefully scrutinised, the list of undertrials and the time, it takes in the disposal of their cases in the courts. The general average is 4-6 months, which is as bad as in several other big States in India. Therefore, the closing of lock-ups shall not be detrimental to the judicial interest of the undertrials. Transport costs shall also be not much. After calculating the number of cases awaiting trial in the jails which are recommended to be closed, and a close analysis of the number of hearings needed for the disposal of each case, we have arrived at a figure of Rs. 21,000, which shall be needed for transport to the courts. The T. A. and D. A. of warders shall also be not more than Rs. 19,000 a year. Thus the jail budget shall have to incur an additional annual expenditure of Rs. 40,000 only.

On the other hand, there shall be sufficient savings to the Government by closing the lock-ups. On an average each lock up costs Rs. 12,500 a year. By closing 17 lock-ups, the Government will Save Rs. 212,500 a year.

There shall be another saving by closing the under-noted lock-ups. The Inspector General of Prisons has sent a Five Year Plan to the Government in October, 1962, requesting for Rs. 21,00,000 for the renovations, repairs and re-modelling of jails and lock-ups. The 17 lock-ups noted below shall, it is estimated, require Rs. 2,74,500 for making them habitable and worthy of use. But if these 17 lock-ups are closed, this amount shall be saved. Therefore, we propose that the following lock-ups which

are within 35 miles of the district Head-quarters should be closed.

District	Lock-ups	Amount needed for Repairs (In rupees)
1. Chittorgarh	1. Kapsin (22 miles)	9,000.00
	2. Nimbahera (21 miles)	8,000.00
2. Bhilwara	3. Mandalgarh (35 miles)	7,000.00
	4. Gangapur (25 miles)	68,500.00
	5. Shahpura (35 miles)	16,000.00
3. Udaipur	6. Salumbar (35 miles)	9,000.00
	7. Mavli (22 miles)	—
	8. Vallabhnagar (26 miles)	9,000.00
4. Churu	9. Ratangarh (26 miles)	2,000.00
5. Jhalawar	10. Bhawanimandi (25 miles)	2,000.00
	11. Aklera (30 miles)	—
6. Pali	12. Sojat (25 miles)	2,000.00
7. Bharatpur	13. Deeg (21 miles)	—
	14. Bayana (24 miles)	—
8. Jhunjhunu	15. Khetri (25 miles)	68,500.00
9. Sikar	16. Fatehpur (35 miles)	68,500.00
10. Jaipur	17. Dausa (35 miles)	5,000 00
Total Rs.		<u>2,74,500.00</u>

We have already recommended that to start with, Bhilwara, Sirohi, Jhalawar, Tonk, and Bharatpur should be promoted to the status of District Jails. In the Five Year Plan submitted by the Inspector General of Prisons to the Government, no money has been requested for the improvement of jail buildings at these places. Therefore, no additional expenditure shall have to be incurred for this purpose.

All Head quarters lock-ups should be raised to the status of 'A' class sub-jails. As a result of this, their present population shall increase and the expenditure on Watch and Ward shall also have to be increased. An additional expenditure of Rs. 9,000 a year will be needed to upgrade them. Briefly stated, the financial implications of the above recommendations are:-

DECREASE

1. No repairs etc., needed	Rs. 2,74,500.00
2. Annual saving by closing 17 lock-ups	Rs. 2,12,500 00
	<hr/>
	4 87,000.00
	<hr/>

INCREASE

1. All Headquarters to have 'A' class lock-ups	Rs. 9,000.00 per
2. Transport for Trials	Rs. 40,000.00 year
	<hr/>
	49,000.00
	<hr/>

Thus the net annual saving per year would be Rs. 1,63,500.

At present all the sub-jails are under the supervision of the local Sub-Divisional Magistrate. By and large they are touring officers with multifarious duties but in the opinion of the Commission the Sub-Divisional Magistrates are the right persons to look after the supervision of such sub-jails. The Commission thought of having local Medical Officers as incharge, but considering certain practical difficulties, it is of the opinion that the Sub-Divisional Magistrate should remain incharge of the sub-jail. He should be designated as part-time Superintendent and get a conveyance allowance of Rs. 35/-per month.

Officer-incharge
and medical
attendance.

At present the local Medical Officers attached to the Jails as part-time Medical Officers get allowances ranging between Rs. 20/- and Rs. 30/-. It is recommended that all such Medical Officers should get Rs. 35/- per month for all places and it should be treated as conveyance allowance.

The remuneration to part-time compounders is also not sufficient to inspire interest in their work. It ranges between Rs. 5/- and Rs. 10/- per month. It is therefore, recommended that all part-time compounders should get Rs. 15/- per month.

The direct responsibility of running the sub-jails rests with the Assistant Jailors. It would be in the fitness of things that his pay-scale is raised to Rs. 130-250 and equate with that of Assistant Inspector, Cooperative Society. We would also recommend that in places where the strength of inmates is more than 40, a Lower

Assistant Jailors

Division Clerk should be provided to assist him.

Ministerial staff.

Unlike other departments ministerial staff in Jail Department is so much inter-mingled with the executive staff, that it is difficult to draw any line of demarcation between the two. This, however, does not apply to Accounts Section. Nearly all Assistant Jailors function as ministerial staff. In district jails, executive staff has no holidays. The ministerial staff enjoys two holidays (Saturday and Sunday) in the week. The result is that executive work is paralysed for want of ministerial assistance. Then there is hardly any scope for promotion for the ministerial staff. Therefore, the Commission proposes that the U. P. pattern should be introduced in Rajasthan Jails also. The nomenclature of clerk be changed to Assistant Jailor and recruitment, qualification etc., should be the same. Thus there shall be a scope for interchange and opportunity to rise. Jail administration will show better results in our opinion, if the cadre of Assistant Jailors and clerks in the department is amalgamated

We have already suggested that the Government may consider the desirability of rectifying, as far as possible, the disparity created in the pay scales of the jail staff in general vis-a-vis the position in the Police Department in 1951. Taking into account this position, as well as the responsibilities of the functionaries of the Jail Department, we suggest suitable revision of pay scale as mentioned in para dealing with emoluments.

In view of the reformatory measures proposed by the Commission and the general expansion of the Jail Department & in order to provide the Inspector General of Prisons adequate assistance of proper standards, the present post of Assistant Inspector General should be upgraded and designated as Deputy Inspector General of Prisons. He would not only help the Inspector General in the discharge of his multi-farious duties, but will also inspect the jails and sub-jails. This may obviate in the long run the need to have two travelling Inspectors for sub-jails as we have at present in Rajasthan. In order to facilitate the work of the Deputy Inspector General of Prisons and also to have more effective control over the sub-jails, the zone of control and supervision should be divided between the District and Central Jails. The Deputy Inspector General shall be the second in authority to the Inspector General, exercising over all supervision as Chief Inspecting Officer over the jails in the State.

Inspector General
of Prisons and Dy.
Inspector General
of Prisons.

The status, dignity and work of the Director of Jail Industries requires that he should be given the same salary as the Superintendent, District Jail, A Class, but his status should be above that of this pay scale.

The Commission also considers that the two posts of Deputy Superintendents in the two 'B' Class District Jails should be up-graded and designated as Superintendent District Jails and their grade should be the same as that of Superintendent, District Jail viz, Rs 275-20-335-25-560-30-650. It is further recommended that 50%

Recruitment &
Qualifications.

of the posts of Superintendents, District Jails should be filled up by direct recruitment and the other 50% by promotion based on seniority cum-merit. The two posts of Deputy Superintendents should be promotion posts on seniority cum-merit posts.

Warders and
Head Warders

Warders should be recruited directly by a Selection Committee consisting of two Superintendents of Central Jails with the Deputy Inspector General as Chairman of the Committee. The Warders should have read at least upto VIII standard. The selection for the post of Head Warders should be on seniority-cum-merit basis through the same Committee. Warder and Head Warders may be promoted to the post of Assistant Jailors and 25 percent of this cadre may consist of such promotion recommended by the Committee referred to above. Only those warders and head warders who have put in five years' service and possess High School or Matric or an equivalent certificate shall be entitled to such promotion. Fifty per cent of the Jailors shall be selected from the cadre of Deputy Jailors. Deputy Jailors shall be promoted from the rank of Assistant Jailors. It does not stand to reason that the class IV Government Servants are not paid T. A. on transfer. We strongly recommend that they should be paid T. A. on transfer.

Emoluments.

We propose the following pay scale for the staff in the Jail Department. In making these recommendations we have taken care that, as far as possible our recommendations do not go beyond the pay scales as prevalent in Rajasthan:

Present Scale

Proposed Scale

1. *Inspector General of Prisons.*

Rs. 900-50-1400

Rs. 1500-100-1800

2. *Deputy Inspector General of Prisons.*

Rs. 550-30-820-EB-30-850-50-950

Rs. 650-50-1250

3. *Superintendent Central Jail.*

Rs. 550-30-820-EB-30-850-50-950

Rs. 550-30-820-EB-30-850-50-950 no change

4. *Superintendent District Jail A class.*

Rs. 275-20-335-25-560-30-650

Rs. 285-25-510-EB-25-560-30-800.

5. *Deputy Superintendent District Jail B class*

Rs. 170-10-330-12½-385

Rs. 285-25-510-EB-25-560-30-800

6. *Jailor including Inspector*

Rs. 130-5-155-10-235-250

Rs. 155-10-285-15-435-25-485.

7. *Deputy Jailor & Assistant Jailor.*1. *Deputy Jailor*

Rs. 105-5-200

Rs. 130-5-155-10-

2. *Assistant Jailor*

235-250

Rs. 90-4-110-EB-5-155-7½-170 }

8. *Director of Jail Industries.*

Rs. 225-10-275-EB-10-285-15-435-25-485

Rs. 285-25-510-EB-25-560-30-800

9. *Factory Manager*

Rs. 115-5-155-10-255-EB-10-295-12½-320-335

Rs. 225-10-275-EB-10-285-15-435-25-485

10. *Assistant Factory Manager*

Rs. 105-5-200

Rs. 115-5-155-10-295-12½-320-335

11. *Head Warder.*

Rs. 65-1-70-2-90

Rs. 65-1-70-2-90 with start of Rs. 70/-

12. *Warders.* Warder should draw a minimum of Rs. 55.00 as fixed by the Government. if he has passed Middle (VIII) Examination. We further purpose that the Warders who live in the lines should get a Mess allowance of Rs. 5.00 per month just as Police Constables are given if they live in the lines.

13. The Arts and Crafts Teachers, the Educational Teacher or the Whole Time Medical Officers should get the same scale of salary as fixed in their respective Departments.

14. The minimum allowance of the part-time Medical Officer should be Rs. 35.00 and that of a Compounder Rs. 15.00 per month.

15. Industrial Instructors, if they have sufficient experience and they have undergone a recognised Refresher Course, should get the same pay as their counter-parts in the Industries Department.

16. The post of two Inspectors of Sub-Jails should be abolished, in the long run

17. For some time recruitment to the post of Assistant Jailors has been left to the Inspector General of Prisons. As suggested above, it should be through the same procedure as previously adopted by the Public Service Commission.

18. Facility for residence to live with family should be provided to all the members of the staff of Jail Department.

19. Cooperative Societies and club-life should be encouraged and developed for the members of the jail staff at each institution.

20. After meeting the requirements of the inmates of the Jail a maximum free quota of vegetable produced in the Jail should be allowed to the jail staff.

1. Revised pay scales shall involve an additional expenditure of Rs. 2,07,720 per year.

Financial
Implications.

2. The up-grading of five lock-ups at district head quarters to District Jails shall require an additional expenditure of Rs. 2,25,000 a year.

3. The conversion of all district headquarters lock-ups into 'A' class sub-Jails shall cost an additional annual expenditure of Rs 9,000/-

4. Transport expenses of undertrials, if 17 lock-ups are closed and the trials do not take place at district head-quarters, shall be Rs. 40,000/- a year.

Thus the total increase in the expenditure side of the jail budget shall be Rs. 4,81,720.

As against this the decrease in expenditure shall be as follows:-

(1) A Non-recurring amount of Rs. 2,74,500 over the repairs and renovations of the closed lock-ups.

(2) Recurring annual economy of Rs. 2,12,500 by closing 17 lock-ups.

The over all picture of finances is very heartenning. The actual decrease in jail budget shall be Rs. 6,14,500 non-recurring. Taking all accounts into consideration (details given in the appendix), actually jail budget shall decrease by Rs. 3,45,280. As against this, its income from industries shall be much more due to productive schemes suggested in the chapter on Industries.

SUMMARY OF RECOMMENDATIONS :

1. Lock-ups within a radius of 35 miles from the district head-quarters should be closed.

2. All District headquarters should have a district jail unless two district headquarters are in close proximity.

3. The designation of the head of the jail, officer-in-charge or deputy superintendent, shall be "Superintendent".

4. All administrative personnel should be trained in the job.

5. The two posts of deputy Superintendents in the two 'B' class district jails should be up-graded and designated as Superintendents.

6. 50 per cent of the posts of the Superintendents of District Jails should be filled by promotion and 50 per cent by recruitment. The promotion should be at Seniority-cum-merit basis.

7. Warders should be recruited directly by a selection Committee and they should have read upto VIIIth standard. The selection of the post of head warders should be on seniority-cum-merit basis. 25 per cent of the Head Warders may be promoted to the post of Assistant Jailors by the Selection Committee referred to in the chapter.

8. 50 per cent of the jailors shall be promoted from the cadre of the Deputy Jailor and Deputy Jailors shall be promoted from the rank of Assistant Jailors.

9. The ministerial and executive shall be amalgamated and interchangeable, both enjoying equal privileges.

10. The two roaming Inspectors of Sub-Jails may not be needed in the long run but at present they are rendering useful service.

11. The Director of Jail Industries should be promoted to the rank of Superintendent, District Jail, 'A' class but his status shall be above this rank.

12. The present Assistant Inspector General of prisons should be designated as Deputy Inspector General of Prisons. Being second in command to the Inspector General and as over-all incharge of the jails of the State, next to the Inspector General, his duties and responsibilities require better status and designation. He should be at once designated as Deputy Inspector General Prisons.

13. Revision in pay scales, keeping in view the finances of the state as well as competitiveness with duties and responsibilities has been suggested in the chapter. T.A., D.A. and other facilities for the staff have also been suggested. Pay scales suggested do not go beyond the prevalent pay scales in Rajasthan and are keeping with the recommendations of the recent Administrative Commission of Rajasthan.

14. Allowance for the incharge of sub-jails and increase in allowance of part time medical officers has also been suggested.

15. Facility for residence, cooperative society free quota of vegetables, etc., to the staff have also been recommended.

16. Financial implications of the recommendations have been worked out. Transport

expenses to be incurred on sending undertrials to courts due to the closure of lock-ups has also been worked out. New productive programmes have been suggested in other chapters and, the department shall actually be run on profit.

17. If the 17 Lock-ups, as suggested in the Chapter are closed, their buildings shall be surrendered to the Government for use or disposal. The face value of these buildings shall not be less than Rs. 20,000 each. Thus the approximate saving to the Government shall be Rs. 3,40,000.

18. If reforms are to be introduced, the administrative set up should also be reformed.



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CHAPTER XIV

JAIL AUDIT AND ACCOUNTS.

We shall deal in this chapter "Internal Audit" as carried out in the Jail Department.

There are at present 40 members in the ministerial staff at the head office out of whom 15 are working in the Accounts Section.

We are told that the internal audit is meant only for those jails where the Accountant General's audit parties do not go for audit purposes. Thus, the internal audit is not carried out in central jails. In district jails also the Accountant General's party audits the Accounts. However, in special cases, accounts of other jails are also audited by special parties sent by the Accounts Section. If the Inspector General feels that internal audit in some central or district jail is needed, he may order accordingly, otherwise regular checking by Accountant General office is considered sufficient for the purpose.

Sphere of internal audit.

According to the Assistant Accounts Officer one year's audit of lock-ups needs three days, two year's audit needs five days and three year's audit requires six days. Therefore, for auditing 77 institutions, 231 days are needed in his opinion.

For district jails, four clerks need ten days for auditing accounts of one year and 15 days

are needed for two years' audit. Thirteen to fourteen days are needed for one years' audit of Central Jails and three weeks for two years audit.

Thus, if the internal audit is to be done in the case of all institutions, every year a total number of 318 days are needed. If two auditors are detailed for lock-ups & four for district and Central jails, 814 working days shall be needed. At present hardly two clerks are spared for the year round audit, i. e., only 500 working days are available.

From the time of the integration of Rajasthan till the year 1963, there have been 11 cases of embezzlement amounting to Rs. 18,482. One case is as old as of the year 1949 i.e., before merger, involving a sum of Rs. 7,622. The amount involved in the remaining cases is Rs. 10,860 = 00.

New division of
duties.

Recently there has been a re-shuffling of duties regarding investigation of embezzlement cases. Now the auditors are required to only detect the misappropriations, if any, and frame a statement of allegations and charges and the same is forwarded to the Commissioner for Departmental Enquiries for further action, provided the amount involved exceeds Rs. 50/-

The Commission, however, desires that it should be clearly impressed upon the internal auditors that they are not only expected to find flaws, but that they are expected to guide, advise and remove minor mistakes as well. As it is, at present, both the work of disposal and checking is slow and even cases dealing with

pay, pension, arrears, increments etc., are allowed to linger. In the eleven cases of embezzlement referred to above, so far only three could be finalised. The Commission has looked into the causes of inefficiency and delays stated above and recommends that instead of allowing more hands to the department, the quality of its personnel should be improved. The necessary changes are suggested below.

A great anomaly exists in the present set-up of the Accounts Section. The Accountant and the Assistant Accounts Officer, both are of the same grade. This creates some complications affecting efficiency. Secondly, the temporary and uncertain tenure of officials deputed from the Finance Department does not provide for any stable and sustained control and naturally affects the efficient disposal of the work. We would suggest that the designation of Assistant Accounts Officer should be changed to Accounts Officer or the grade of the Assistant Accounts Officer be revised or some special pay may be given. The Finance Department may be requested to remove this anomaly. He should be on deputation from the Finance Department for a period of not less than three years. The post of Accounts Officer should be of the same scale and status as that of the Accounts Officers in the Finance Department.

Anomaly in the
accounts office.

There should be an Accountant in the existing grade who may not necessarily belong to the Jail Department, but he should be under the Accounts Officer and should be attached to the Jail Department for five years. The Internal

audit should not be limited to lock-ups only. The orders of the Accounts Officer, we recommend, regarding internal disbursements, etc., should be considered final in the matter.

Delay in
investigation

We find that the present system of audit is to prepare lengthy reports of irregularities and submit them to the Accounts Officer, who in turn scrutinise them. These reports are discussed with the Assistant Jailor and the Officer in-charge by the internal check party and irregularities are removed on the spot. But we regret to say that it is not done always. Lapses are discovered or taken notice of, at pretty long intervals and the length of time spent defeats the very purpose of audit. If immediate notice is taken and the irregularities are got corrected on the spot under the guidance of the audit party, much of time and labour wasted in reporting would be avoided. In cases of deliberate negligence, things must be brought to the notice of authorities, without any loss of time. As it happens at present, the unqualified auditors who go for inspecting the accounts consider that their duty is only to find out the mistakes. Such mistakes, when reported are seldom remedied expeditiously. By the time, the action is taken, the incumbent responsible may have been transferred to some other place. Delay in investigation of such cases is natural. It further confuses the issues.

Knowledge of
rules & regulations
essential.

It is indeed surprising that the copies of General Financial and Accounts Rules, as also the R. S. R., i.e., Rajasthan Service Rules are not available at every sub-jail. Even Jail Manual

is not available at many jails. The training given to the Assistant Jailor in the matter of procedure, office routine and matters relating to accounts, is not sufficient. Most of the irregularities occur due to ignorance of rules and want of proper practical training. It is necessary that all such important publications must be provided to all institutions (jails) for the guidance of jail incharges and the auditors should also be given detailed written instructions regarding other duties and responsibilities.

To bring the internal audit system upto the mark, it is necessary to :—

Delegation of
power to pass bills.

(a) Free the present accounts staff from a great deal of desk work. The Head office staff should be released from minor responsibilities so that it can engage itself in more effective auditing.

(b) It appears that the Inspector General of Prisons is under the impression that internal audit of only lock-ups is the responsibility of the Head Office, otherwise, the responsibility of the audit of the District and Central Jails is that of the Accountant General. The office of the Accountant General carries test audit, but a test audit is never a detailed audit with the result, that, whenever, a lapse is found, accounts for two or three years have to be checked by the office of the Inspector General of Prisons. Audit is a regular and continuous procedure and the position must be clarified as to who is finally responsible for the auditing of Central and District Jails. Qualified and trained

personnel may be supplied to the Office of the Inspector General of Prisons but, the tax payer should not suffer simply because the responsibility of auditing remains a matter of guess and assumption.

(c) When a contract rate has been finalised by the District Magistrate, it is quite reasonable that the Head on the spot should pass the bills. We understand such orders have since been issued.

(d) The Travelling Allowance Bills of Assistant Jailors come to the Head Office and lie there for a long time. The Officer-in-charge of sub-jails sign the salary bills of the Assistant Jailors. They can also be depended upon to sign their Travelling Allowance bills. This shall give some relief to the poor Lower Division Clerks grade, Assistant Jailer, with no loss to the Government. If ever, any bill is wrongly passed by the Officer-in-charge, it is bound to be detected in the internal audit and any loss to the Government can then be re-imbursed according to rules.

The present
procedure,

At present, half yearly accounts are prepared by those jails where one commercial accounts Clerk is posted. This clerk maintains the commercial registers mentioned in the Commercial Code and prepares the entire accounts of the manufactory-balance-sheet, trading accounts etc. On receipt of the half-yearly statement and the final accounts, the accounts clerk at the Head Office examines the same. Then a party is sent for further verification of the statement if too many discrepancies are found.

We have at the Head Office, a separate commercial accounts clerk for Industries Section. The Director of Jail Industries has informed the Commission that even if the industrial production shoots upto Rs. 15-20 lakhs a year, no extra hand will be needed for maintaining the accounts. He is satisfied that the accounts of his section are well maintained.

In this connection it may be noted that the Commercial Accounts Clerk at each Jail is a qualified hand, his statement is verified by the Superintendent of the Jail. Therefore, instead of a mid-term verification of his statement, the job should be left to the usual audit by the Accountant General Office. We suggest that there should be no unnecessary expenditure incurred on sending the commercial clerk of the Head office to the manufacturing jails. It may be necessary only, when there are differences in the statement of accounts.

There should be yearly audit of every institution and the work should not be postponed for the next year, under any circumstances, and therefore, the entire system of audit needs to be geared up. At present, internal audit is unfortunately much in arrears. We were told that the paucity of staff was responsible for this state of affairs. Let us therefore examine the same.

The following posts are sanctioned at present for the internal check work :

Strength at the head office.

Accountant	1
Accounts Clerks	3
Lower Division Clerks	3

As this staff is being utilised for other routine office work also, therefore, no regular parties could be regularly sent out.

The strength in the Accounts Section is :—

Accountant	1
Inspector Stores & Accounts	1
Commercial Accounts Clerk	1
Accounts Clerks	3
Upper Division Clerks	2
Lower Division Clerks	7

15

The total number of receipts from January to June, 1963 was 5972. The average comes to 995 per month. Considering the strength of the office this is not upto the standard workload fixed by the Government and evidently the output is bad. It is, however, due to the fact that the present incumbents are not fully qualified for their task and they are sent off and on for internal audit also. There should be re-allotment of duties in the Head Office on the lines suggested by us :—

1. Office Accountant- He will be Accounts cum-Cashier (Lower Clerk. He will prepare Division Clerk) salary bills, F. V. C. Bills and maintain all registers. He has got full time work. He is the cashier attached to Head Office.

2. **Contract Clerk** He will deal with contract cases. The number of Papers under Consideration is less with him but work is of a complicated nature. It is a job for Accounts Clerk, who will also attend to inspection reports of the Accountant General.
3. **Budget Clerk :** He will prepare budget, distribute the grants and do reconciliation work. He will also deal with Public Accounts Committee. He should also be an accounts Clerk.
Lower Division Clerk
4. **Miscellaneous Clerk** He will attend to embezzlement cases, Amendments in General Financial and Accounts Rules, Budget Manual, Treasury Manual, Physical verification reports, permanent advances, cash balances and other miscellaneous work and checking of bills. He should be an Accounts Clerk.
Receipt and record work (closed files). He

shall also help the contract clerk and budget clerk as and when necessary.

Thus five Accounts Clerks and the Lower Division Clerks will be required for Head Office.

The Commercial Accounts Clerk shall work in Head Office and also check Jail manufactory accounts. The Accountant checks the work of Office Assistants. The work of other clerks also passes through him. He has to go out for internal check of jail manufactures.

For internal check-work, three Accounts Clerks and one Inspector Stores and Accounts are required or, in the alternative, one Accountant, one Accounts Clerk, one Lower Division Clerk, shall be needed. Thus in all eight Accounts Clerks, three Lower Division Clerks and one Inspector Stores and Accounts will be required for general section and for industries section, three Lower Division Clerks and one Commercial Accounts Clerk, shall be required. In all, five more posts of Accounts Clerk, shall be needed. Two posts of Upper Division Clerk and four posts of Lower Division Clerks can be surrendered to the Government. Those who may be declared surplus, should be absorbed by the Government on appropriate posts in other offices, if it is not possible to absorb them in the expending jail services.

This arrangement shall boost up efficiency and at the same time it shall not involve any extra expenditure for the department as shown below. The total net increase will be only Rs. 60/- per annum as explained below :—

Statement showing the probable expenditure on Converting two posts of Upper Division Clerks and four posts of Lower Division Clerks into five posts of Accounts Clerks.

Expenditure on five posts of Accounts Clerks.		Amount to be surrendered as a result of conversion of two posts of Upper Division clerks and four posts of Lower Division Clerks.	
Pay of five Accounts Clerks (105-240)	5×105×12=6300	Pay of two Upper Division Clerks.	2×105×12=2520
Special Pay.	5×10×12=600	Head Office Allowance	2×10×12=240
Head office Allowance for Five posts	5×10×12=600	Dearness Allowance	2×10×12=240
Dearness Allowance for five post :	5×10×12=600	Pay for four Lower Division Clerks : (90 to 150)	4×90×12=4320
		Head Office Allowance	4×5×12=240
		Dearness Allowance	4×10×12=480
	Rs. 8100		Rs. 8040
		Net increase	Rs. 60
			Rs. 8100

The Commission also feels that audit and accounts staff, should be separate. Clear-cut-rules for the tenure of the officers on deputation from Finance Department should be observed. In fact, six months before the term of deputation is due to expire, the Finance Department should enquire from Inspector General of Prisons, whether he wants to retain the officer or he agrees to his transfer. In case of the former, a further tenure, should be permitted.

Purchase
procedure.

The Superintendents should be vested with real executive powers and should have discretion in several matters. Leaving major purchases of raw material at the headquarters, the Superintendent should make local purchases of food requirement and such other articles as are needed for use, by the prisoners through a Local Purchase Committee. Articles which are supplied by Jail industries, like clothing or blanket, etc., should be supplied to the prisons by the Headquarters. The Superintendents should be authorised to make emergent purchases of consumable articles to meet their requirements for six weeks.

Local purchase
committee

It should consist of the Superintendent, the District Magistrate or his representative and one member of the local Board of Visitors, nominated by the Home Minister. It should make purchases of monthly requirements, medical and stationery and other miscellaneous requirements. The present arrangements of supply of stationery through Government Press is cumbrous. Local requirements should be met through annual indents and budget provisions.

Medical requirements are, at present, met by Medical Department. Indents are made on the District Medical & Health Officer, who forwards the same to the Medical Department. It is a general complaint in Rajasthan Jails, specially in "B" and "A" class jails that all the requirements, are not met by the District Medical and Health Officer. Therefore, the Commission feels that the present system is defective. Jail Hospitals must have regular stores of medicines. The intermediary authority of District Medical and Health Officer is not necessary. The Superintendents of Central and District Jails should send their annual indents to the Medical Department direct. The Superintendents should further be authorised to make purchases in emergency. It is necessary for Rajasthan Jail Department to have a separate budgeted item for medicines, as it is in other States in India.

Medical
requirements.

Regarding purchases to be made by the Head Office, the Commission feels, that the present procedure of making jail purchases through a committee set up at the Secretariat is not suitable. In our opinion a Central purchase Committee should be established and it should consist of the Inspector General of Prisons as Chairman, the Deputy Inspector General of Prisons, Director Jail Industries and Superintendents of Central Jails. The Inspector General should invite experts of particular sections from Industries Department and from private sectors. This Committee should meet not more than twice a year.

Central purchase
committee.

The Central purchase Committee should make purchases of those items, which are

required by the Inspector General of Prisons. These items may include bulk purchases of certain item of food-grains also. Other items should be mustard seeds, wool, yarn, cotton, major industrial goods and other articles, as desired by the Inspector General.

Delegation of
powers.

The Commission suggests delegation of powers to the following extent :—

(a) Purchase : General Department-non-contract normal requirements for prisoners.

(1) Inspector General : full powers, subject to 12 months requirements.

(2) Superintendents : of all classes of Jails-six weeks' requirements.

(b) *Contract*

Normal requirements for prisoners and prisons :

Superintendents should have full powers, subject to six weeks' requirements and restrictions imposed by Inspector General of Prisons in relation to items which may be purchased in bulk and stores.

The Inspector General of Prisons should be authorised to meet non-contract non-recurring requirements upto Rs. 2000=00 and the same authority should be enjoyed by the Superintendents up to Rs. 350=00.

(c) *Manufacturing*.—As above. Raw-material shall be treated as recurring material, for which the Inspector General of Prisons shall have powers for purchases for 15 months.

In view of the requirements under law and to clearly define the contracting party it is necessary to lay down rules in this respect. The final contracting authority should be the Inspector General of Prisons, who has unlimited powers of contract within his budget; but the Commission suggests, that the Central Purchase Committee should be utilised in each and every respect possible. The Superintendents of Central, ('A' and 'B' Class District jails and the Superintendents of sub-jails should also use the services of local purchase Committee. However, to facilitate early purchases and finalisation of contracts, the Inspector General should delegate his powers upto Rs. 7500 to the Superintendents of Central Jails, Rs. 3000 to the Superintendents of District Jails and Rs. 2000 to those in charge of sub-jails.

Authority to
contracts

Heaps of old stock are lying in certain jails and the useless dump is occupying space unnecessarily. We have inspected the stock of junk at several jails. In evaluation they may prove even worse than scraps. According to existing rules, as soon as any article is received in the jail, it is entered in the stock register and its cost, size, quality, quantity, all are mentioned in the columns provided therein. When an article becomes unserviceable, it is transferred to unserviceable stock register and orders for its destruction or auction are obtained from the competent authority. The powers of the competent authority are defined in Appendix IV of the General Financial and Accounts Rules. The constitution of the

Disposal of old
stock.

Committee for auction of unserviceable articles has also been fixed.

It is unfortunate that the above procedure is not being adopted in actual practice. Unserviceable articles accumulate without being transferred to the register meant for the purpose. No action is taken for their destruction or auction. It also happens that as the Inspector General has kept the final authority with himself to reject unserviceable articles in sub-jails at several places, the Commission found rotten articles awaiting his rejection. In several jails in Rajasthan unserviceable articles from pre-merger period are lying in heaps. The office of the Inspector General wrote to the Government in May, 1962 that a high-power Committee should be appointed to inspect such accumulations and advise their disposal. The Government has referred it to the Commission.

We have inspected the dump. We find, that it should be a waste of tax-payers' money to appoint a committee for this matter. The articles are so useless and valueless that the jail Superintendents should be authorised to dispose them as they think best. Perhaps then the Government would be able to get better values for the dumps.

However, for future guidance, the rules laid down by the Government, vide Notification No. F. 18 (a) (2) F.D.A. (Rules) 60-May, 31, 1961 are quite sufficient, good and easy to follow. No difficulties as referred to above about unserviceable stocks shall arise, if these rules are rigidly followed.

(b) Superintendents should be authorised to write off food-grains within the same limits as allowed to contractors in contract.

(c) Vegetables and condiments, subject to scales fixed by Inspector General for preparation, dryage, decomposition can also be written off by the Superintendents.

(d) In excess of the above or other articles, valued up to Rs. 1,00,000 not covered by above items, the Inspector General should be authorised to write off the same. For higher amounts the sanction of the Government should be obtained.

Departmental order No. DRK-6/35785-872, dated 2nd Jan, 1960 contains detailed instructions for preservation of weeding of the records. Powers have also been delegated to the officers-in-charge, jails and sub-jails by the endorsement number Act./ADT-220/18132-220, August, 6, 1963. Under this, full powers have been given to them to destroy official records, connected with accounts subject to rules and conditions given in Appendix XII of the General Financial & Accounts Rules.

Preservation of records.

According to the above Rules, if a file has been ordered to be maintained for five years that shall be the period of its life, after which, in the absence of any further orders, it should be eliminated. Details of such destroyed records should be maintained in the office. Current records should be kept separate from old records.

A set of rules also exists regarding "Stand" and "Closed" files. New files are not to be

started in every financial year. Files of general nature are to be treated as stand files. Confidential files, when not required, are to be *burnt*. Useless files and papers should not be allowed to accumulate in office. Appendix I to V of the above mentioned Government order gives the life for particular sections of files to be retained for a specified number of years. We have examined the list and we find it comprehensive, detailed and useful. We would recommend, that it be followed in spirit also. After examining officers of several institutions in the State, we have come to the conclusion that the Government order is not followed due to sheer laziness and incompetence. The danger is lurking around the Head Office also. Our only recommendation in this respect is that the rules laid down should be followed in all jails and the headquarters.

Summary of
Recommendations.

1. The Inspector General may order internal audit in central and district jails only, if he is satisfied that it is necessary to do so.

2. The Government should clearly modify regarding the responsibility of the auditing of the accounts of the District & Central Jails and if it is finally resolved, that the Inspector General of Prisons is responsible for the internal audits of all institutions under him, he may be given the required personnel for this job.

3. Under the present procedure, it takes a good deal of time to finally take steps in the cases of embezzlement discovered by the Head Office. In the last five years, out of eleven cases mostly detected by the Head Office, only three

could be finalised. Five cases pending with the Commissioner for Departmental Enquiries.

4. Internal auditors should not only find out the flaws but should also guide and advise about maintenance of the accounts.

5. Instead of increasing the number of clerks in the Accounts Department, the quality of personnel should be increased. If the responsibility of internal audit for District and Central Jails is to rest on the Inspector General of Prisons, he may need a few hands more after some time.

6. The present anomaly of the Accountant and the Assistant Accounts Officer in the same grade should be removed. The Finance Department should be requested to either revise the scale of pay of Assistant Accounts Officer or give him some special pay. Deputation to jail Department should be for a minimum period of three years.

7. There should be an Accountant under the Accounts Officer and if this officer is deputed from Finance Department, it should be for a period of five years.

8. Detailed written instructions should be given to auditors about their duties.

9. A copy of the General Financial and Accounts Rules, Rajasthan Service Rules and Rajasthan Jail Manual, should be available in all jails, sub-jails and the same should be given to all internal and external auditors.

10. Officer-in-charge of all jails and sub-jails, should have financial powers to pass the

bills for payment of approved items and these bills should not go to the Head Office.

11. As there is a qualified Accounts Clerk at each central jail and his statements are verified by the Superintendent, there is no necessity of mid-term checking and unnecessary expenditure in these respects should be avoided.

12. The re-allocation of duties in Accounts Office has been suggested. According to re-distribution of work, five Accounts Clerks and three Lower Division Clerks shall be needed at the Head Office.

13. For internal audit, three Accounts Clerks and one Inspector of Stores and Accounts, in the alternative one Accountant, one Accounts Clerk and one Lower Division Clerk, are required.

14. Thus, in all, eight Accounts Clerks, three Lower Division Clerks and one Inspector of Stores and Accounts, for the general work and one Commercial Accountant and three Lower Division Clerks, shall be needed for industries section at the Head Office. In all, five more posts of Accounts Clerks, shall be needed and in place of the same, two posts of Upper Division Clerks and four posts of Lower Division Clerks, shall be surrendered to the Government.

15. Audit and Accounts should be separate. Six months before the term of deputation, is due to expire of the officers sent from the Finance Department, the latter should enquire from the Inspector General, whether he wants to retain

these officers. In case the reply is in the affirmative, the said officer may be given a further term.

16. There should be a Central Purchase Committee and Local Purchase Committee. The constitution and powers of both are detailed in the chapter. Greater power and discretion should be exercised by the Inspector General and the Superintendents of Jails. Medical indents should be sent direct to the Medical Department with no intermediate authority. Emergency purchases for medicines may be permitted to the Superintendents. Jail budget should have an item for medicines also.

17. Delegation of powers for purchases, has been suggested. Authority to enter into contract has been laid down.

18. Procedure has been suggested for articles to be written off and disposed.

19. Unserviceable stocks are worth nothing. They should be sold away or disposed off, as the local Superintendent of Jail thinks best.

20. For future guidance Notification No. F-18 (a) (2) F. D. A. (Rules)/60-dated 31.5.1961 should be strictly followed.

21. Regarding the preservation of records, Jail Department Order No. DRK-6/35785-872, January, 1960 is clear, good and sufficient. Only it is not being followed. Its strict observance is recommended.

CHAPTER XV

TRAINING OF PRISON PERSONNEL

Need for Training

In order to give effect to the conclusions stated through the report of the Commission, it is necessary that the Warders, Head Warders, Assistant Jailors and higher officers undergo systematic training. It will doubtless be understood that the handling of prisoners is a specialised job which can be performed only by trained staff. This was visualised by all Governmental Committees entrusted with the task of making recommendations for prison reform. Again, all international bodies concerned with the prevention of crime and the treatment of offenders have shared the same belief in the need of training correctional personnel. The U.N. Standard Minimum Rules for the Treatment of Prisoners emphasise the training of institutional personnel in no uncertain terms.

Correctional work is now recognised as a specialised work. Reorientation and re-education of the offenders are primary functions of the correctional personnel. It cannot be denied that the effectiveness of correctional institutions & the impact of treatment on inmates, primarily depend on the professional qualities and tact of the correctional staff. Systematic and sound training fulfills this purpose.

Periodic Refresher Courses.

In Rajasthan, we have to concern ourselves not only with the staff to be recruited in future,

but also with the systematic development of personnel already in service. It is, we think, evident that because of the low salary scales, the jail department has not been successful in attracting many men with good general education. The policy of training an officer only once during his employment without periodic refresher course, is not enough. Nor does it seem likely that men with limited educational preparation can contribute substantially to the development of correctional work.

The Commission has already recommended the revision of pay scales and it is hoped, that efforts, shall be made to recruit better qualified staff. But the necessity of training as given above shall remain.

We propose to lay down certain specific objectives of the training programmes to be adopted for the jail staff. These can be listed as under :

- (i) To make institutional personnel acquainted with the scientific methods of correctional work.
- (ii) To extend their knowledge of fundamental subject matter and skills for the performance of specific tasks.
- (iii) To develop better work habits with due consideration for security and promptness.
- (iv) To enhance their learning capacity with special reference to prison procedures.
- (v) To stimulate good attitudes towards

Objectives of
Training
Programme.

work and willingness to accept suggestions for improvement.

- (vi) To promote their personal fitness in terms of physical condition, appearance and habits.
- (vii) To foster proficiency in supervising other employees and inmates.
- (viii) To strengthen their administrative ability for prompt action and sound decision.

We are unanimously of the opinion that interest in service, training should be developed for all categories of prison personnel. Training invariably develops potentialities making it easier for placing the right type of employee for the right type of work. Ultimately, it leads to avoidance of undue wastage of staff talents.

Training School

The Commission is in favour of establishing a training school for prison personnel of Rajasthan closely linked to the office of the Inspector General of Prisons. To concur with the view, that Rajasthan should continue to depend on institutions in other states for training officers, would be following the line of least resistance. The existence of a training school as part of the jail department introduces a refreshing element into the otherwise routine work of the department. The training centre will always have sufficient candidates if, in addition to the training of new recruits, a system of refresher courses is instituted for officers at all levels, who were trained on recruitment or later, in Rajasthan or outside. Besides training, the staff of the school

should be made responsible for research, publications and even the task of examining and simplifying procedures. These additional functions coupled with training programmes will be of immense value for the further development and efficient functioning of the jail department.

Though some of the district jails in Rajasthan have extra accommodation, locating the training school in a centre outside Jaipur would not be a practical proposition. We, therefore, feel that the training school should be located in Jaipur preferably close to the Central Jail. Since the office of the Inspector General of Prisons, is also located in Jaipur, it would be easy to give special attention to the problems of the training school.

In order to secure the objectives cited in the foregoing paragraphs, a training school with well qualified staff will be an indispensable requirement. Special attention should be paid to recruiting lecturers with post-graduate qualifications in social sciences and specialisation in criminology and correctional work.

The approximate number of trainees shall depend on the expansion of the Jail Department in terms of the recommendations of the Commission, but at any rate, it is expected that it shall not be less than 40 at a time, including Refresher Courses.

Staff and
Training.

Keeping this requirement in view, we propose the following staff for the training school.

<i>Designation</i>	<i>Number</i>	<i>Pay scale and remarks.</i>
1. Principal	1	Scale of Superintendent of Central Jail.
2. Vice Principal	1	Scale of Superintendent District Jail, 'A' Class., preferably from Jail Department.
3. Lecturer	1	Lecturer's Grade in Government Colleges.
4. Librarian	1	Scale of Librarian as in Higher Secondary Schools.
5. Physical Training Instructor	1	Scale equivalent to Physical Instructors of Education Department in Higher Secondary Schools.
6. Upper Division Clerk with knowledge of typing.	1	} Usual scale of pay.
7. Lower Division Clerk with knowledge of typing.		
8. Two peons.		Class IV.

Besides, there will be need for part-time lecturers in horticulture agriculture and industries. Co-operation of the Police Department may be sought for training in the use of small arms. Visiting lecturers should be invited from other government departments, particularly from the probation and aftercare sections of the Department of Social Welfare. Moreover, University Departments and special institutions, interested in criminology and correctional work will be able to co-operate in providing class instruction to candidates participating in the training programme. For this purpose, a lump sum may be provided, from which appropriate honoraria and T. A. may be paid.

Visiting Part-time
Lecturers.

The recruitment rules and other service conditions of the staff of the school shall be laid down by the Government.

In view of the finances of the State, a modest beginning shall have to be made for such an institution, i. e., Rs. 10,000 as non-recurring expenditure at the initial stage and Rs. 10,000 a year towards recurring expenditure.

Estimates of
Expenditure

Training programme may be organised for the following categories:—

Categories.

(i) *Correctional Officers*. This category includes the Superintendent, the Deputy Superintendent, the Jailor, the Deputy Jailor and the Assistant Jailor. The correctional officers on recruitment should undergo initial basic training of nine months at the school and this will include practical training in various branches of institutional management at the central jail,

Jaipur. Existing staff, who have had no opportunity of extensive training, should also take advantage of this course. Further, refresher courses of three month's duration should also be organised for these officers at fixed intervals, so that they may be kept informed of the progressive trends in the field.

(ii) *Technical, Agricultural and Ministerial Personnel*:-On recruitment, the technical, agricultural and ministerial personnel should undergo an initial basic training of three months in various aspects of institutional management. This will be a condensed version of the nine-month's programme. Besides, they should, at certain fixed intervals, be required to undergo refresher courses bearing on their specialised fields of work.

(iii) *Guarding Personnel* : The problem of training those warders with little or no educational background needs special consideration. This category will include the Head Warders and Warders. On recruitment, all warders should be required to undergo the basic training of six months, which includes practical training in various aspects of institutional management and training imparted in cooperation with the police department. Those already in service and who have had no previous opportunity of undergoing this training, should also be required to complete the programme. Refresher courses should also be organised at certain fixed intervals, so that they may keep themselves in touch with developments in correctional work.

(iv) *Other Training Course* : The jail department requires personnel to be equipped better for specific aspects of the institutional programme in fields such as vocational training, physical training, social education, group work, recreation, industrial programme, etc. To meet such requirements, training courses should be organised in addition to the basic and refresher courses specified above.

Apart from the conventional methods employed at other centres of training, the training school should encourage teaching methods, such as discussion groups & seminars, in addition to the class instruction.

A further recommendation, on which we are agreed, is the preparation of three Training Manuals one for correctional personnel, another for guarding personnel and a third for technical, agricultural and ministerial personnel.

In pursuance of the principles, which we have laid down above, we recommend, the following curriculum, which should be modified to suit the changing requirements of training in the school.

Curriculum for the nine months' programme for training of Officers (not below the rank of Assistant Jailor).

Part I—(1) Elements of Sociology, (2) Elements of Psychology, (3) Criminology, (4) Methods of Social Work including case work, Group Work and Community Organisation, (5) Correctional Institutions, (6) Probation, Parole and Aftercare, (7) Legislation—(i) Indian Penal Code, (ii) Relevant Chapters of the Criminal

Procedure Code, (iii) Elements of the Law of Evidence, (iv) Prisoners' Act, (v) Prisoners' Act, (vi) Transfer of Prisoners' Act, (vii) Attendance of Prisoners' Act, (viii) Borstal Act (Bihar), (ix) Probation of Offenders Act, 1958 (x) Children Act (1960).

Part—II—(1) Prison Manual, (2) Accounts Manual, (3) Fundamentals of Financial Administration, (4) Office Administration (5) Service Regulations—(i) Recruitment and Training, (ii) Service Conditions, (iii) Service Conduct Rules, (iv) Staff Discipline, (v) Departmental Enquiry Procedure, (vi) Staff Welfare, —(6) Jail Statistics.

Part III—(1) Standards of Jail Buildings, (2) Security and Custody, (3) Gate, (4) Admission and Quarantine Procedure, (5) Classification Committee, (6) Daily Routine, (7) Education, (8) Work and Employment of Prisoners, (9) Industrial Technical and Vocational Training, (10) Cultural Activities, (11) Inmate Discipline, (12) Orderly Room Procedure, (13) Sanitation and Hygiene, (14) Health and Medical Information, (15) Barrack/Yard Management, (16) Kitchen Management, (17) Canteen Management, (18) Hospital Arrangements, (19) Extra-mural Gangs, (20) Jail Stores, (21) Jail Agriculture, Dairy, Poultry, etc., (22) Pre-release Preparation, (23) Release.

Part IV—(1) Practical work in all sections of the institution, (2) Orientation talks, (3) Preparing case histories, (4) Conducting social education classes, (5) Organising cultural activities, (6) **Demonstrations** regarding various **operations** of institutional management,

(7) Handling of emergencies (Escape, hunger-strike, accident, assault, death, fire, riot, suicide, work- strike, epidemic, food poisoning, control of the violent prisoners, failure of electricity or water- supply alarm procedure etc., 8. First Aid, 9. Procedure regarding condemned prisoners.

Part V-(1) Physical Training Exercises, (2) Squad Drill (3) Company Drill, (4) Weapon Training, (5) Ceremonial Parade, (6) Unarmed Combat, (7) Baton and Cane Drill, (8) Onstacle Course (9) Inspection of Guard and Sentry Duties, (10) Saluting, (11) Reporting, (12) Kit Inspection, (13) Outdoor Games, (14) Use of Tear Gas.

Part VI-(1) Study Tour, (2) Visits to institutions-(i) Police Station, (ii) Finger Print Bureau, (iii) Modus Operandi Bureau, (iv) Courts, (v) Remand Home, (vi) Certified School, (vii) Borstal School, (viii) Lock-up, (ix) Institution for Women Offenders, (x) Jail, (xi) Open Prison such as Sampurnanand Camp, (xii) Mental Hospital, (xiii) Civil Hospital, (xiv) After-care Institution, (xv) Industrial Training Centre and Technical School, (xvi) Agricultural Farm, (xvii) Fire Brigade, (xviii) Physical Training School, (xix) Institutions for the Handicapped, (2) Camp for Outdoor Training.

Part VII—(1) Community Projects, (2) Seminars.

Though the topics are somewhat similar to the ones included under the nine months' programme for correctional officers, instruction for guarding personnel should be offered at an elementary level compatible with their educational background.

Curriculum for the
Six Months' Training of Guarding
Personnel.

Part-I (1) Physical Training Exercises, (2) Squad Drill, (3) Company Drill, (4) Weapon Training, (5) Ceremonial Parade, (6) Unarmed Combat, (7) Cane and Baton Drill, (8) Obstacle Course, (9) Guard and Sentry Duties, (10) Saluting, (11) Reporting, (12) Kit Inspection, (13) Self-Defence, (14) Use of Tear Gas.

Part II—(1) History and Socio-economic Conditions of Rajasthan (2) Legislation, and judicial and *Panchayat* Economic Development, (3) Police Administration, (4) Fingerprint Work, (5) Social Legislation in India, (6) History and Objectives of Jail Reform.

Part III—(1) Constitution of India Act, (2) Indian Penal Code, (3) Relevant Chapters of the Criminal Procedure Code, (4) Elements of the Law of Evidence, (5) Prisons Act, (6) Prisoners' Act, (7) Transfer of Prisoners' Act, (8) Attendance of Prisoners' Act, (9) Probation of Offenders Act, (10) Borstal Act (Bihar), (11) Children Act, (1960). The treatment of legislation will be at an elementary level.

Part IV—(1) Crime as a Social Problem, (2) Factors Associated with Crime, (3) History of Punishment, (4) Functions of Correctional Institutions, (5) Probation, Parole and Aftercare, (6) Duties and Responsibilities of Correctional Personnel.

Part V—(1) Organisation of the Jail Department, (2) Classification of Institutions, (3) Jail Manual, (4) Accounts Manual, (5) Service Conditions, (6) Service Conduct Rules, (7) Staff Discipline, (8) Staff Welfare.

Part VI—(1) Standards of Jail Buildings, (2) Security and Custody, (3) Gate, (4) Admission and Quarantine Procedure, (5) Classification Committee, (6) Daily Routine, (7) Care and Welfare of Prisoners, (8) Education, (9) Work and Employment of Prisoners, (10) Educational, Technical and Vocational Training, (11) Cultural Activities, (12) Food Poisoning, (13) Orderly Room Procedure, (14) Sanitation and Hygiene, (15) Medical Aspects, (16) Barrack/yard Management, (17) Kitchen Management, (18) Canteen Management, (19) Hospital Management, (20) Extramural Gangs, (21) Jail Stores, (22) Jail Agriculture, Dairy, Poultry, etc., (23) Pre-release Preparation, (24) Release, (25) Aftercare and Rehabilitation.

Part VII—(1) Hungerstrike, (2) Accident, (3) Assault, (4) Death, (5) Fire, (6) Riot, (7) Suicide, (8) Work-strike, (9) Control of the Violent prisoner, (10) Epidemics, (11) Food Poisoning, (12) Demonstrations inside or outside jails, (13) Alarm Procedure.

Part VIII—Visits to (1) Police Station, (2) Fingerprint Bureau, (3) Modus Operandi Bureau, (4) Courts, (5) Remand Home, (6) Certified School, (7) Borstal School, (8) Institution for Women Offenders, (9) Prison, (10) Mental Hospital, (11) Civil Hospital, (12) Aftercare Institution, (13) Industrial Training Centre and Technical School, (14) Agricultural Farm, (15) Fire Brigade, (16) Physical Training School, (17) Institutions for the Handicapped.

Part IX—(1) Outdoor Games, (2) Camp for Outdoor Training.

Inter State Study
Tour

We have dealt on the importance of keeping staff informed of developments in corrections and it is, we think, very desirable that inter-state study tours be organised, so that correctional officers, can have opportunities to observe and study the correctional methods including training programme adopted in different states.

In this connection, it is impossible to avoid a reference to deputation of officers for training outside the department in the interest of developing a core of highly trained officers in the department and for encouraging employees with special abilities. It will be advantageous, if deserving officers are deputed for specialised training at universities and special institutes of Social Sciences and Social work providing advanced facilities for specialised training in correctional work and criminology.

Facilities during
Training.

We have next to consider the facilities to be provided during training. It is in our opinion undesirable to subject members of the staff to personal and domestic inconveniences, when they go for training. In the course of our enquiries, we received suggestions bearing on this problem. All serving personnel including newly recruited personnel should be entitled to pay and training allowance and provided with rent-free quarters, arrangements for messing and free medical aid. Again, T. A. and D. A. for travel incidental to training, are necessary.

There will be considerable expenditure on appointing substitutes for those sent on training.

The Inspector General of Prisons should have at his disposal adequate training leave reserve.

1. Effectiveness of Correctional Institutions and the impact of treatment on inmates primarily depend on the systematic and scientific training of the personnel of the staff.

2. A better qualified staff than at present in Rajasthan Jails is needed for proper implementation of correctional programmes. But the necessity of the personnel including refresher courses cannot be well-emphasized.

3. There should be a Training School for the staff of all categories in the Jail Department of Rajasthan and it should not depend on such institutions in other States. This Training School should have a system of refresher courses and also carry on research, publications etc. This Institution should be located at Jaipur.

4. The approximate number of trainees shall not be less than 40 at a time. The staff for the same has been provided.

5. The recruitment rules and other service conditions of the staff of the school shall be laid down by the Government.

6. In view of the finances of the State, a modest beginning should be made with a non-recurring expenditure of Rs 10,000/- and recurring expenditure of Rs. 10,000/- per year.

7. A curriculum for the training programme for the various categories of the staff has been given.

8. Inter-State study tours for the trainees should be organised and facilities for trainees have been recommended,

CHAPTER XVI

PANCHAYATS AND COOPERATIVE SOCIETIES IN JAILS

Reciprocal
assistance.

A prisoner is as much a citizen of the country as a free person. Both are expected to preserve the freedom and democracy of the country. It has been rightly observed by Mr. B. Bykhovsky that : "To ensure freedom in society, it is necessary to furnish not only conditions under which one's needs are *satisfied* and one's wishes are *realised*, but also conditions under which these *needs and wishes* are compatible with freedom and are in keeping with social responsibility."¹

Solidarity and reciprocal assistance can best be achieved by "Cooperation" and "Panchayats", i.e., self-Governing units. That is what the architects of our Five year Plans have advocated. That is what has been suggested by "Social Education" in the All India Jail Manual Committee (1957-59) Report, in Chapter XXIV.

Liason.

Introduction of Cooperation and Panchayats in jails has another great advantage. Chapter XXIV of the All India Jail Manual Committee has recommended that "Correctional Administration should maintain liason with such departments of the State as Industries, Labour,

1. *The Individual and Society*, 1962.

Commerce and Cooperation". Cooperative Societies and Panchayats in jails are the best media for maintaining this liason.

In Free India, both Panchayats and Cooperatives have been given due recognition. India has 1,76, 109 Panchayats functioning in 4,80,000 villages, covering more than 230 million people while Community Development programme has been introduced in more than four lakhs villages. Thus, Panchayat and Cooperation have become a vital part in the life of rural and urban India. In Rajasthan alone, till that year, there were 15,000 Cooperative Societies with 7,19,000 as primary members and a working capital of Rs. 24 crores. Similarly, if Cooperatives and Panchayats are organised also inside jails, these would prove to be a good training ground in citizenship apart from other advantages.

Panchayat & Cooperatives in India & Rajasthan.

One of the recent developments in the Rajasthan Jails is the formation of Cooperative Societies at three places, viz., Udaipur, Jodhpur and Jaipur. These societies are primarily meant for the benefit of the Jail staff, but their organisation is such, that prisoners can also benefit by the same. They undertake to run canteens inside the jails; may even take contract of jail on supplies and gradually percolate themselves in the life of the jails to such an extent that basic training in cooperation may be imbued in the prisoners.

State Cooperative societies.

At present, "Credit and Thrift" societies exist in Jodhpur and Udaipur Jails, there is one such society called Central Jail Employees Credit and

and Thrift Cooperative Society Ltd., (members 146) registered in July, 1954. Its budget for 1962-63, was Rs. 91,521 = 35 P. Out of which Rs. 38,962 was realized from loan account and Rs. 44,106 was the fresh loan granted to the members. There is also a "Consumer Stores Society"—"*Jail Karmchhari Sahkari Upbhokta Bhandar*" at Jaipur, which has 65 members. It had a sale of Rs. 50,000 in July, Dec., 1963. This Society is serving the local area by attending to 5500 persons in the supply of sugar and wheat, under instructions of the District Magistrate, Jaipur, and a "Sewing and Knitting Class" for the families of the members. It is running a school upto Matriculation standard for children. Physical training is also imparted. The staff of the Headquarters of the Inspector General of Prisons and the Central Jails have organised a "Jail Employees Housing and Cooperative Society Ltd." The Commission hopes that the Government shall provide every facility to this society.

It is apparent from the above that with little encouragement, these societies can easily enter the life of wage-earning prisoners.

Chapter XIV of the Model Jail Manual, 1960, has suggested a Welfare Committee for the Staff at each institution. It has been suggested that there should be a welfare fund for the staff. Cooperative Credit Society and Multipurposes Cooperative Shop for institutional staff, should be organised. The Commission is pleased to find such an organisation developing in Rajasthan Jails.

We realise, that Cooperative Societies for prisoners, cannot be organised on account of various difficulties. If industrial education progresses on satisfactory lines, industrial co-operatives may be considered possible at a later date. The Cooperative Society run by the Staff may allow wage-earning prisoners to participate in the venture. Wage earning prisoners may be allowed to become share-holders of staff Co-operatives. We recommend to the Cooperative Department to permit such an amendment in the constitution of Staff Cooperative Societies so that the above proposal be made effective. If such an amendment is made in the bye-laws, it would open a new chapter in the life of wage-earning convicts.

Prisoners as
members of
Cooperative
Societies.

The Jail Department has taken the right step in this direction by applying to the Registrar, Cooperative Societies, to register in Industrial Cooperative for the inmates of Sampurnanand Camp at Sanganer. We think this shall be the first industrial cooperative of prisoners, attached to an Open Camp in India.

An interesting "Convicts" Co-operatives wage earning scheme was placed before the Commission to suggest, that only those workers, who perform full and standard task shall be admitted to such co-operatives. Those, who receive more than two punishments for jail offences, shall be excluded from the scheme. Exemplary character and conduct shall qualify a worker to membership of the same. All the jobs, entrusted to this society, shall be on contract basis and subject to periodical physical

Convict
cooperative and
wage Earning.

verification. There shall be a *Pradhan* of the Society, who shall sign the Indent Book etc. He shall be an elected officer and pay-master of the Society. Members of the Society shall arrange for their own fooding, clothing, cultural activities, etc., and they shall be lodged in a group in a separate barrack. They shall distribute their earnings among themselves. The Jail shall pay them at the rate of Rs. 1.85 P. per sq. yard of *Durrie* for instance, if the Society has produced 100 sq. yards of *Durrie* with border in one week with approximately 20 labourers per day, it shall be paid Rs. 185.00 i. e., one worker shall earn Rs. 1.60 P. per day. After deducting their personal expenses, each worker can save about 75 P. per day. The Scheme is worth being given a trial with suitable modifications.

Panchayats.

Co-operation means group-working. It leads to sustained comradeship. Co-operation teaches team-work and self-discipline. Co-operation creates the feeling of responsibility.

Actual occupation in like industrial or agricultural programme, need not be really collective in character. Therefore, now Jail programmes are so arranged that prisoners use their leisure hours in common. Countries like 'Denmark, United States of America etc., have started "*Common-rooms*".

"Common-rooms"
& Panchayats.

But "*Common-rooms*" only provide facilities for favourite pastimes (chess, cards, music, drama etc.) They do not provide opportunity for group thinking or collective sharing of responsibility. They do not create the spirit of self-help, self-analysis and responsible thinking.

The *Panchayat* is a good nucleus for the development of all these faculties.

So far as we are aware, the largest number of jail panchayats are functioning in the jails of Uttar Pradesh. Bihar has also such institutions in some of the jails. There is one Jail Panchayat in the open jail at Bilaspur in Himachal Pradesh. In Orissa, there are 18 jail panchayats (12 in District Jails and 6 in special sub-Jails).

Panchayats in other states.

Panchayat system has been introduced in Rajasthan in all Central (2) and District Jails (4). It is required to meet once a week. It looks after (a) the sanitary arrangements (b) meals (c) literary education (d) clothings and washing arrangements (e) games and sports.

Panchayats in Rajasthan Jails.

They are authorised by the Superintendents to deal with the minor Jail offences. They communicate their recommendations to the Superintendents, whose decision is final.

So far as we could find out, most of the *Panchayats* in Rajasthan Jails are either still in making or not active.

The Commission is aware of the fact that the *panchayat* system has its weaknesses also. We do not propose to examine the question beyond its application to jails. In some states jail *panchayats* have developed into places of intrigues, due to reasons, for which administration may also be partly responsible. In some jails they grew so troublesome and inter-fearing in the administration, that the Superintendents had to suppress them. Without proper guidance, without a proper ideology and without a proper

Dangers in the system.

programme, jail *panchayats* cannot succeed. It should be understood first and foremost by the prisoners that it is a privilege and not a right, granted to them and the authority and control of the head of institution is final.

The Commission feels that *Panchayats* in Jails can be quite helpful in the social education and better rehabilitation of the prisoners on release. But the system has to be so devised as to be more effective and purposeful. It should not create group feeling and animosities. Although it is correct that the effectiveness and efficient functioning of *panchayats* depend on the individual attention of the Superintendents, it is also important, that no *Panchayat* should arrogate to itself the right, to interfere in administrative matters. In closed jails, the *panchayats* should have nothing to do with the administrative functions of jails except sanitation and mess arrangements. In open Camps, due to their special constitution, and function, administrative functions, such as management, of kitchen, hospital arrangements, farm, labour, cultural programmes etc., may be passed on to *panchayats* by stages.

The Commission feels that essentially the *panchayats* should be advisory bodies with the following primary functions :—

- (a) To advise on all matters relating to the Welfare of prisoners.
- (b) To offer suggestions to the jail officials regarding the amelioration of their conditions.

- (e) To manage such amenities as are entrusted to them.

We recommend the following procedure for the election of the *Panchayats* in the light of which the jail Manual be amended :—

Election and work procedure.

1. The tenure of office in *Panchayat* shall be six months.
2. Elections should be by direct vote, and by secret ballot. Nominations should be filed, a week before the election and withdrawal, should be allowed within two days after the date of nomination. Scrutiny and declaration may be done by the Welfare Officer attached to a prison, if any, or in case such an officer is not available by a jail officer.
3. For purposes of election, the jail should be divided into convenient *electoral sections*, by the Superintendent. There should be one representative for every one hundred convicts, which shall constitute one electoral section in Central Jails and the "*Pradhan*" shall be elected by the elected representatives among themselves. No one, who is not able to read and write, properly should be eligible for the office of *Pradhan*.
4. A member may be allowed to serve for consecutive terms, but no *Pradhan* should serve for more than one term in continuation.
5. The *Pradhan* should convene the meetings and keep a record of the proceedings, which are to be intimated to the Superintendent. The *Pradhan* shall nominate his secretary from

the elected members. The Jail Welfare Officer shall guide the jail *Panchayat*.

6. The Superintendent should intimate to the Inspector General of Prisons, the action taken on the recommendations of the *Panchayat*. This officer may institute an enquiry against the misconduct, if any, of a member or *Pradhan* and remove him, if it is in the interest of the Jail.

7. No one should be elected to the office of *Pradhan*, if his term of imprisonment is less than six months. Other disqualifications for the office of member or *Pradhan* are :-

- (a) Punished for any jail offence during the year.
- (b) or are condemned prisoners. or
- (c) are civil prisoners. or
- (d) are female prisoner or juvenile or
- (e) are undertrials.

There should be a separate *Panchayat* for Female and Juvenile jails respectively.

8. The *Pradhan* should have the vote and casting vote. His rank, due to his office, should be that of a Convict Overseer and he should enjoy the privileges of a Convict Overseer and for his good work, he may be given extra remissions.

The word "*Panchayat*" does not signify the real sense of the purpose, they are meant for in jails. The Commission suggests that the name should be "*Paramarsh Samiti*".

The Superintendent Jail, should have the power of vetoing or rejecting the resolutions or recommendations of the *Samitis* and such decisions should be communicated to the Inspector General of Prisons with reasons thereof. Veto.

The system proposed by us will take away all the stings from the present structure of Panchayats and it will also give a better tone to their administration. It will meet the basic need of closer cooperation with the officials in Jail Administration and it will bring up the innate goodness of convicts to surface, will create a spirit of self-discipline and self-help and at the same time will keep them under discipline and control.

We cannot close this chapter without emphasising that the system proposed above, in order to be successful, should ensure the co-operation of the officials of the Jail Department. We are sure that the working of the *Panchayat* if successfully done, shall bring the innate goodness of convicts to surface, create a spirit of self-discipline and self-help and at the same time keep them under discipline and control.

SUMMARY OF RECOMMENDATIONS

1. Social solidarity and reciprocal assistance are necessary in society for meeting the needs of the individual. In Jails this can best be fostered by introducing Cooperatives and Panchayats. These constitute a part of Social Education suggested by the All India Jail Manual Committee.

2. Cooperative Societies and *Panchayats* in jails are the best media for maintaining liason between the Correctional Administration and prisoners.

3. Cooperative Societies and *Panchayats* are a vital part in our Plans and therefore, if this education is given inside the jails, it shall provide a good training in citizenship apart from other advantages.

4. The Cooperative Societies at Jodhpur, Udaipur, and Jaipur Jails and the Consumer's Store Society, Jaipur Jail should be open to wage-earning prisoners also. Jail contracts like that of canteen, clothing, furniture etc., may be given to such cooperative societies.

5. Industrial Cooperative for prisoners can be organised only after jail industries are satisfactorily developed.

6. The Registrar, Cooperative Societies, should permit amendment in bye-laws of jail Cooperative Societies to admit wage-earning prisoners.

7. An Industrial Cooperative scheme as suggested in this chapter should receive careful attention of the Government. The Commission recommends that the scheme be given a trial.

8. Proper guidance is necessary for a successful working of the Panchayat, otherwise, they can be hot beds of jail intrigues. It is also necessary to give these *Panchayats* an "ideology" to work.

9. Prisoners should be made to know that jail panchayats are a privilege and not a matter

of right. If this privilege is not properly made use of, it would result in the withdrawal of the same. The decision of the Superintendent of the Jail, in all matters, pertaining to *Panchayats* shall be final.

10. In closed jails the *Panchayats* should be allowed to manage only two functions—that is, sanitation and mess arrangements.

In Open Camps some administrative duties may be passed on to the inmates gradually.

11. Essentially, jail *panchayats* should be advisory bodies and should be named as *Paramarsh Samities*.

12. Jail Welfare Officers should guide the Jail *Panchayats*.

CONCLUDING REMARKS

Modern penology and criminology are highly developed and technical subjects. To evaluate our present prison administration and to suggest changes and reforms in terms of the new social sciences is a hard task indeed. Rajasthan Jail Reforms Commission is the first Commission in this sphere in our country established after independence. There have been prison committees before freedom, and several committees were set up, in the different states, in the Indian Republic between 1947-57. Their reports were on specific subjects assigned to them. The All India Jail Manual Committee was the only exception. It has performed a difficult task of formulating for the first time a comprehensive manual which would meet the basic requirements of all jails in India.

In the scheme of social defence, as well as in the sphere of social services in a Welfare State, prisons play a vital role. The importance and significance of reclaiming and rehabilitating the human material classified as asocial cannot be ever emphasised. Daily average population of prisoners in India is approximately one hundred thousand. The total turnover of convicts and undertrials is more than a million a year. Crime situation is changing fast and criminality is on increase. Changing social factors may be responsible for this. But a scientific planning of rehabilitation and orientation of the asocial person is bound to alleviate the situation. Society shall be benefited by claiming back the delinquent or criminal of yesterday.

It took some time for the Central and State Governments to realise the significance of a well-planned prison programme and aftercare services. It has been pointed out in a Note prepared by the Planning Commission that no provision was made for Social and Moral Hygiene and After Care Services in the First Plan, but a total provision of Rs. 6 crores was made in the Second Plan (50 per cent share of the Centre). But the Planning Commission in the *Appraisal and Prospects*, 1959, effected a reduction under this programme from Rs. 6 crores to Rs. 4 crores. The States themselves were not very keen in achieving the full targets. According to the figures available from the Planning Commission, provision for States' share for the period 1956-61, for aftercare

services was Rs. 189.16 lakhs. But the actual expenditure was only Rs. 96.09 lakhs. Only West Bengal exceeded the target expenditure Rs. 17.52 lakhs as against the provision of Rs. 15.54 lakhs. Rajasthan spent only Rs. 5.53 lakhs during this period.

It appears that the achievements of the Second Plan discouraged, the Planners to provide for a bigger amount for aftercare services, rehabilitation, borstals, remand homes etc., and only Rs. 1.17 crores was envisaged for the purpose in the Third Plan. The revised outlay under the State Plan for this programme was increased later on, from Rs. 0.57 crore to Rs. 1.00 crore. But the actuals for 1961-62, and 1962-63, show an alarming indifference on the part of the States. Only Rs. 1.87 lakhs and Rs. 3.65 lakhs has been spent during this period respectively. According to the Statement of the Planning Commission, Third Plan provision for Rajasthan is for Rs. 3.20 lakhs, out of which only Rs. 33,000 is expected to be spent upto 31st March, 1964.

The position of such services in the State of Rajasthan may be understood by the following table:—

<i>Rescue Homes</i>	<i>After Care Homes</i>	<i>Reception Centre</i>	<i>District Shelter</i>	<i>Total</i>	India Rajasthan.
5	25	21	23	74	
1	2	Nil	2	5	

There are only four States in our country where financial aid is given to the discharged prisoners, namely, Assam, Gujrat, Maharashtra

and Mysore. Between 1961-63, only Rs. one thousand was spent by all the four states under this item. It is anticipated, according to the Planning Commission, that by the end of 1965, Assam, Maharashtra and Gujrat shall help 60 discharged men and spend Rs. 11,000/— over them.

It is apparent from the above, that for the two million men and women, how negligible this help would be and how much remains to be done to rehabilitate them.

The seriousness of this situation in beginning is to be realized. The Sub-Committee on Social Defence, appointed by the Ministry of Education, has drafted a programme of Rs. 1,452.34 lakhs for the Fourth Plan. It includes the following items:—

	Rs. (in Lakhs)
1. Probation Services.	232.42
2. Care and Protection of Children.	602.35
3. Non-institutional services for the Prevention of Juvenile Delinquency.	138.55
4. Work under S.I.T. Acts.	54.25
5. Vagrancy and Begging.	120.00
6. Welfare in Prisons and follow up.	217.08
7. Training Programme (Accounted for against item No. 8).	38.78
8. Central Bureau of Correctional Services.	48.91

Rs. 1,452.34

We would only wish that this ambitious programme is translated into action. Credit must go to the Central Bureau of Correctional Services, Government of India, for creating an awareness of the situation. But the States have to take the initiative and actually implement the plan.

The Commission has tried to present a Report, primarily for the State of Rajasthan, but it is hoped, that it shall prove of use to all the states in our country. Care has been taken to study, as far as possible, the prison situation in all the States. After laying down the philosophy of prison administration and treatment of prisoners, after enunciating the basic concepts of penal reform, the Commission has tried to build up, step by step, the whole structure of prison reforms. The chapter have given factual analysis of the existing position of jails in Rajasthan in comparison to some of the states in India and abroad. Attempt has been made to consider all aspects of prison administration, its human material and its requirements. Daily routine of work, diet, industry, cultural and educational programmes, facilities privileges, rewards, punishments, rehabilitation, open camps, specialised institutions, training of personnel, all have been considered. We have deliberately repeated our conclusions and recommendations at some places to give emphasis to certain important aspects. Those who drafted the terms of reference to the Commission were fully alive to all the aspects of prison reforms. There was nothing left to be guessed or anticipated; therefore the Commission had full liberty to cover a wide range.

The summary of the recommendations are given at the end of each chapter and at the end of the Report for the facility of the reader. But it would be misleading to judge the whole content by the summary. Care has been taken not to miss a single point worth consideration as far as possible.

How-so-ever revolutionary the reforms may be, it is useless to suggest them if they are too formidable or impossible for the finances of the State. We are passing through a difficult period. Essential needs of the people have to be met first. The finances of the State cannot be diverted to penal reform at the cost of other pressing requirements. Therefore, the Commission has taken care to suggest only such reforms and changes which would not over-burden the taxpayer, and, also which would not be incompatible with the policy of the State. All avenues of economy have been explored. It may be that some of the economies suggested may not be possible due to political or other reasons. But the increase in revenue for jails suggested by productive schemes shall fully meet the increased expenditure. The *Financial Implications* of the suggestions have been given in the Appendices and we hope that the same shall receive the approval of the Government.

The question of probation services were not originally referred to the Commission. Later on, it was included in the terms of reference by the Home Minister. We have gone through the whole question and we have suggested, as briefly as possible, a comprehensive scheme for future probation services in the State.

Prison statistics are not properly maintained in our country. As compared to several states in India, they are much better maintained in Rajasthan. However even in Rajasthan, it is difficult to find all those figures, which were needed by us. For instance, marital status of male prisoners, factual percentage of habitual offenders, grouping of juvenile delinquents etc; have yet to be determined. Still, we have tried to be as near the facts as possible.

In our deliberations, we have kept in view the recommendations of the All India Jail Manual Committee. The Commission has also prepared a draft of the amended Jail Manual, to give effect to the recommendations, in order to expedite implementation. Recommendations of the Committees and Commissions of the Government take long time to be implemented because as often in such cases rules and regulations have to be changed. The red-tape takes pretty long to recast the same. We are grateful for the cooperation and help of the office of the Inspector General of Prisons in re-drafting the Manual. All of the rules and regulations are in accordance with the recommendations of the All India Jail Manual Committee. We believe that this draft Manual shall help all other states to re-model their jail manuals.

Some of the terms of reference were of minor nature and they have been included at appropriate places in chapters devoted to specific subjects. One of the terms of reference was regarding the treatment of political prisoners. The subject is beyond the scope of the Commi-

ssion and, therefore, no specific recommendations have been made in this Report.

It is difficult to define a political prisoner. In a democracy, there is freedom of speech and action. "Freedom to disagree" is the basic principle of democratic Government. As pointed out by the American Ambassador to India, Chester Bowles in his book "The making of a just society" all such disagreement should be peaceful. But constitutional agitation is a valid and just right. Violent agitations endanger democracy: Acts of violence have the same colour in the eyes of law, whatever may be the political or social application of the violater. Therefore, in a free country there can be no such thing as a separate political prisoner.

However, no democracy can be without political agitators. The opposition has a right to oppose. Then, there may be cases of "Detention for political reasons" where some special treatment shall have to be given. They cannot be treated as ordinary criminals. They must have greater freedom of movement; better food, better facilities for living, freer contact with society and even some financial assistance for the dependents.

But these rules shall not be framed by the Commission. Jail is only the custodial authority. Such prisoners are not governed by the ordinary criminal procedure Code or Indian Penal Code. As they are detained under specific acts of the Ministry of Home Affairs, it is for the Government to draft out special rules and

regulations for them from time to time. It may be worthwhile to mention in this connection that on enquiry from all the States in India, we found that there is no such classification as 'political prisoners' in any of them.

The All India Jail Manual Committee, the International Penal and Penitentiary Foundation, the U.N.O. Social Defence Section and all the jail manuals of advanced countries, we have studied, thus far have also not provided any such classification or give any indication about differential treatment to be meted out to political prisoners. Therefore, as mentioned above, we would only recommend that the Political Department of the Government of Rajasthan, should frame rules in this respect and make life as useful and respectable as possible for the detainees in the jails.

We conclude with a hope that our efforts shall bear fruit and there shall be a new life in the jails of Rajasthan.

CHAPTER XVIII

SUMMARY OF RECOMMENDATIONS

CHAPTER I

Prison and Prisoners

In this chapter a case for Penal and Jail Reforms has been made out.

CHAPTER II

Jails in Rajasthan

1. With the economic developments and growth in urban population of Rajasthan, the pattern of crime is bound to change in the State and there shall be a simultaneous increase in crimes.

2. The bias of treatment for urban and rural prisoners shall have to be different technical, and vocational for the former and agricultural and allied vocational education for the later.

3. Instead of an increase in jail budget, it has decreased. It has to be just the reverse.

4. The Assistant Inspector General of Prisons rarely moves out. He should move more frequently and the office Superintendent should look after his work during his absence.

5. At least two English and one Hindi Stenographers are recommended for the Head Office.

6. All in-charges of jails, of all classes should be designated as 'Superintendent' which is the legal title given in the Jail Manual.

7. The Juvenile and Female Reformatories should be organised in different institutions, not attached with any jail and both should be re-organised.

8. To maintain jail buildings properly, there should be a separate Buildings Department for the Jail under a qualified Engineer. At present Jail buildings are suffering due to lack of interest and delays caused by P. W. D.

9. The construction of new buildings should be on the lines suggested by the All India Jail Manual Committee.

10. Water supply, hygienic requirements, lavatories inside the compound, kitchens situated at a distance from lavatories, security walls and family quarters for the staff and warders should be given primary consideration. Each Jail or sub-jail should have a separate enclosure for female prisoners. Each jail or sub-jail should have a compound for the movement of prisoners.

11. The programme prepared by the Inspector General for the repairs and construction of new buildings has been examined and found good. In five years the total cost would be Rs. 16 lakhs or near about.

12. Jail buildings which are too big for use as lock-ups should be handed over to the Government for other purposes and the Jail Department shall gain financially by this transfer because it can justify its expenditure on the construction of smaller lock-ups. Specific recommendations regarding jail buildings have been made in this chapter.

13. Where no family quarters are provided to Assistant Jailors, they should be given house rent.

14. The budget for repairs should be placed at the disposal of jail department.

15. Production from jail gardens should be encouraged and their valuation should be adjusted towards revenue account.

16. The uniform of warders should be changed. It should be more soldier like i. e. , better boots, hoses, cap etc.

17. The Assistant Jailors, Deputy Jailors, Jailors and Inspectors should get Rs. 45/- per annum as uniform allowance and they should be always in uniform on duty. The Dy. Superintendent and Superintendent should not get any allowance. An initial grant of Rs. 200/- should be given for uniforms to the non-gazetted officers and Rs. 500/- to the Gazetted Officers. (This recommendation was added at a later date and not included in the main body of the chapter).

18. Rajasthan Jails should have a qualified Engineer as Building Officer to look after jail buildings.

19. The demand of protection guards to officers of the jail Department is reasonable.

20. Jails should be called *Sudhar Grih* and inmates should be called "*Saathi*".

21. Psychologists and Psychiatrists should be associated with prison administration.

22. The Government order permitting employment in Public Services to discharged prisoners should be given due publicity and

acted upon by the various departments of the Government, of Rajasthan.

CHAPTER III

Model Jail

1. In modern corrections, it is necessary to have a few fully equipped and well organised closed prisons, which might function as the training centres for prisoners. The prisoners may be so trained at those centres as to be duly equipped to earn a satisfactory living in skilled trades and industries after release. Such prisoners may after training be transferred to other jails, when they may prove an asset to jail industries and help other prisoners to improve techniques.

2. A Model Jail, as it was understood a few years ago, has ceased to be of such importance, due to the institution of Open Camps but its necessity and utility as an ideal training-cum rehabilitation centre remains and is positively required.

3. Nature of crime or sentence should be no bar to admission to the Model Jail. Instead, admission should depend on the decision of the classification Board of each jail and reception centres of Central Jails.

4. A powerful and purposeful classification board is needed for this jail, to which a psychiatrist, if available, a psychologist and a Welfare Officer should be attached. Every prisoner should have a plan and programme for treatment, training and rehabilitation.

5. Case histories of each prisoner should be prepared on scientific lines.

6. Vocational training should be on systematic lines with standards comparable to those existing in training institutions outside the prison and in trades having proper employment potential.

7. Superintendent of the institution should have the necessary authority for varying the programme of the institute, according to the needs of training and providing extra amenities within the overall cost on maintenance authorised for prisoners, in all jails. Extra amenities if any, should be relatable to the training needs of the institution.

8. Special attention should be paid to the development of social, cultural educational and panchayat activities.

9. Improvements in hospital, kitchen and lavatory buildings are called for.

10. Specially qualified staff is needed for this institution.

11. Whenever the finances of the State permit, there should be an entirely separate building for the Model Jail.

12. Remissions and facilities in a Model Jail should be no more and no less as available to prisoners in other jails. Wage shall be paid at the same rate and for the same amount of work as applicable to prisoners engaged in jail industries.

CHAPTER IV

Female Reformatory

1. The Female Reformatory should be lodged in a separate building, or removed from a male prison, if the finances of the State permit. It will be absolutely necessary when the number of inmates increases to 100 or more.

2. If Female Reformatory is to remain a part of the Central Jail, Jaipur, it should be not only completely segregated and no male be allowed to enter it without being accompanied by a female, but it should have a separate Lady Deputy Superintendent, in the usual salary grade recommended by the Commission.

3. There is a great shortage of accommodation in the Reformatory. At least 75 square yards of space per head of total capacity is necessary. Proper ventilation and sunlight should be provided.

4. The wall adjoining the enclosure No. 8 should be removed and necessary alterations carried in the building to make it suitable for the Reformatory.

5. 71 per cent of the present women convicts are sentenced for murder. Those guilty of sex crimes and sex murders should be segregated from other prisoners.

6. Proper medical attendance, education, amusement, nursery training, balwadi outfit etc. should be provided to the children of woman prisoners.

7. Suitable arrangements for literacy and vocational training of female prisoners should be made. They should be encouraged to appear in the examinations carried out by recognised institutions; "Condensed Courses" run by State Social welfare Advisory Board should be introduced and training in nurse-mid-wife should be given.

8. The plan for technical and vocational training as laid down in the chapter should be implemented.

9. Cultural activities like music, drama and some indoor and outdoor games have been suggested.

10. Proper medical aid, special help and treatment during pregnancy and delivery and post natal care should be provided.

11. Four white sarees, four blouses four bras and two towels per prisoner should be given each year.

12. Panchayat, Probation, Parole, facility for admission in the Rescue Home and Shelter Home should be provided.

13. Special remissions, remissions for accomplishments in vocational work should be allowed and if possible, a semi-open camp should also be organised for woman prisoners.

14. A follow-up service by Prison welfare Officer for the so-called fallen women is very necessary.

15. One lady visitor should be attached to each jail and sub-jail.

16. Female attendants should be provided, even on temporary basis, to those jails or sub-jails, where female prisoners, even one, are lodged.

17. Specially trained staff, educated and vocational teachers should manage the female reformatory.

18. The duties of the Female staff being exacting and arduous, special consideration for their welfare should be given. Residential accommodation for them should be provided in the premises and facilities of free education to their children and free medical aid should be given.

19. Female warders should be given two sarees and two blouses every year instead of once in two years.

CHAPTER V

Juvenile Reformatory.

1. Reformatory School is basically a residential training and educational institution. They are a part and partial of the prison administration. It is not an institution for undertrials or short-term convicts.

2. Juvenile Reformatory, Udaipur should not be a part of the District Jail because it means divided loyalties for the officers there. The entire staff of the Reformatory should be at least separate, if it is not located in a separate place.

3. A reformatory School is actually only for convicts below the age of 16 years. The mini-

imum period of stay should be three years. However, this Reformatory should have two wings, one for boys upto the age of 18, and the other for 18-21 age group.

4. Provision No. VIII of 1897, Rule 8 should apply to this Reformatory.

5. Those juveniles who have to stay for less than three years, should be kept in a separate wing.

6. The Superintendent of the Reformatory should be designated "*Abhibhawak*" and there should be an Advisory Body consisting of officials and non-officials.

7. If the number of the juvenile girls is 12, a separate wing for girls may be opened in the Female Reformatory.

8. Contact between the inmates and their parents should be encouraged.

9. The caloric value of the diet for juveniles should be adequate to keep a juvenile in best health.

10. Reformatory confinement is basically a group treatment approach.

11. The scheme of education, industrial training, reception centre, health examination etc., is given in the chapter.

12. Adequate recreational facilities should be provided.

13. Wages should be paid to efficient trainees.

14. There should be a separate budget for reformatory school classified under different heads.

15. A Time-Table for daily routine has been given in the Chapter.

CHAPTER VI

Open Camp.

1. There should be atleast three Open Camps in Rajasthan viz:—

- (a) An Agricultural settlement at Anupgarh.
- (b) An Agricultural-cum-industrial Co-operation Colony at Sanganer.
- (c) An Agricultural Farm at any place selected by the Government.

2. All Open Camps should be run, managed and controlled by the jail department. The feeling of organising and managing their own institution should be inculcated among the inmates.

3. Open jails should have no visible security arrangements. Prisoners should as far as possible, live under conditions of trust and responsibility.

4. Anupgarh Camp is no Open Camp in real sense of the term. It is only a work camp at present.

5. All camps should have adequate programme for social, literary, mental, moral and cultural education. Adequate opportunities should be provided for contact with outside world.

6. Prisoners may be sent directly to the camps on conviction in suitable cases.

7. At least in two camps there should be arrangements for prisoners to be kept their families with them in a separate hut, at their own cost, with the permission of the Superintendent of the Camp.

8. Wages at par with free labour should be paid to all inmates in Open Camps. Maintenance cost shall be paid by the inmates.

9. There should be a 'Home' attached to each camp for the discharge prisoners to stay there for some time till they chalk out their future programme. Employment Exchanges should be instructed to help the discharged prisoners who seek employment.

10. Selection of inmates for camps be made on the basis of the two-tier system suggested in relevant section of the chapter.

11. Inmates in Anupgarh may be provided facilities to settle down in the colony as free citizens,

12. Only trained personnel should administer the Open Camps. They should be given 20 per cent of their pay as allowance and free accommodation, water supply and medical facilities should be provided to them.

13. Nature of crime should be no bar to admission to camps.

14. Open Camps should be called '*Shivir*' not *Bandi Shivirs*.

15. Recommendations IV and X of the All India Jail Manual Committee (P. 101 of Committee's report) should be accepted.

16. No open jail should have more than two hundred inmates in Rajasthan in view of its prison population.

17. Security arrangements are necessary to minimise escapes and to give a feeling of security to the free neighbourhood. But such arrangements should be least visible.

18. The staff required for an Open Camp with not more than 200 inmates has been provided in the Chapter.

CHAPTER VII

Rehabilitation

1. The germ of criminality enters the minds of a person at an early stage in life. The aim of custodial treatment is to remove this germ and cure the individual of his asocial behaviour. The objective of jail policy is rehabilitation.

2. Cellular Confinement should be very sparingly given when separation or observation is necessary. As a means of punishment, it should be used in only most difficult cases, and never for more than a maximum of 72 hours.

3. Short-term sentences have no treatment value. Increasing use of probation is suggested in such cases. Short termers should be kept in entirely separate institutions. Legislature should amend the law regarding short-term sentences.

4. Progressive Stage System in which the Prisoner has to pass through a series of tests in jails is also not very helpful in social re-insertion. The real progress lies in the system of personal progress based on active efforts of the individual prisoner.

5. Rehabilitation is possible only through a trilogy of prison treatment, i. e., Education, Discipline and Individual Attention. This leads to social results and brings self respect in the asocial person.

6. Parole or Ticket-on-leave rules are very helpful in rehabilitation. The present 'Leave' rules are so defectively worded that the convict can get advantage of it only at the fag end of

his sentence. Leave for one month every year should be allowed after serving one third of the term, with remissions, in convictions for 3 years or more.

7. Certain erroneous concepts of leniency or favour to the prisoners are also harmful. Remission for 'good work' in the factory of essential service is advantageous for pre-mature release but the released person may not be mature enough for entering social life. Remuneration for work is more helpful to the prisoner.

8. Rs. 6,000/-should be provided each year for purchase of new books for jail libraries and one teacher should be given to each district jail and two to each Central Jail. There should be an educated-Convict Overseer in all sub-jails. Reading and writing material should be provided in jail budget.

9. Adequate funds, i. e. at least Rs. 250/- should be provided to each sub-jail and Rs. 2000/-to each district jail for the purchase of Medicines and there should be one whole-time Medical Officer and compounder for each district jail.

10. The caloric value of diet for 'C' class labouring and non-labouring prisoners should be increased from 2,400 to 3,000 for the former and from 2,000 to 2,500 for the latter.

11. All institutions excluding sub-jail should have a Canteen run by the jail *panchayats* and each such jail should have a Prisoners' Welfare Fund. Families of prisoners in distress should be helped out of this fund.

12 It is better to have no corporal punishment in any form or shape.

13. Prisoners should receive 'Rewards' for stimulating good conduct and in lapses, such rewards may be withheld or withdrawn. Jail punishment may be necessary for indisciplined but the award of such punishment be left to *Paramarsh Samities* in jails.

14. Greater privacy and facility to interview relations and friends be permitted. One interview of thirty minutes duration and two letters should be permitted each week on any day in the week. This shall bring closer contact with family and friends. This rule should relate to closed institution only.

15. Recreational activities should be regular and introduced in all district jails. A lump sum provision of Rs. 5000/-in the jail budget should be made for encouraging such activities.

16. The responsibility of rehabilitation should be shared by the State and non-official agencies, both. There should be a Jail Advisory Council with the Home Minister as President. It should be the final appointing authority for non-official visitors, and disposal of leave, parole and probation applications. There should be a district discharged prisoners society in each District and non-official visitors should be recommended by such societies. Non-official agencies should also run Aftercare Homes, Shelter Homes, Guidance Clinics etc., and they should provide all facilities to the discharged prisoners.

17. In cases of serious domestic problems or illness requiring immediate release, Superintendent of Jail with the approval of the District Magistrate may recommend to the Inspector General of Prisons, who may release the prisoner on parole for not exceeding ten days.

18. Social Welfare Department should be requested to open Aftercare Homes in all districts and Jail staff should take active interest in encouraging prisoners to join such Homes. The Commission is not in favour of entrusting After-Care Homes to Jail Department. Jail Welfare Officers should be vested with powers to organise and supervise Jail Panchayats Canteens and recreational activities along with their present duties. One such officer should be attached to each district Jail.

19. The classification of prisoners done by courts is generally not helpful in rehabilitation. Jails shall have to adopt their own system of classification. The system has been laid down in the chapter. Treatment should begin after classification and there should be a reception centre at each Central Jail in the State.

20. The Commission does not agree to keep "A", "B" or "C" Classes of prisoners. However the Government may issue directives in this respect. Diet schedule for nearly 3,000 caloric value is given in the chapter.

21. A Prisoner's Welfare Fund should be maintained and managed for by the Panchayats. Rules in this respect have been laid down in the chapter.

22. No separate hospital for jails is needed but there should be a separate wing attached to some central jail to keep T. B., Leprosy, Lunacy and Maternity cases. This wing should serve the need of a separate hospital for all jails. Such a wing should not be necessary if a separate wing is provided to the jail department by the Specialised Institutions of the Medical Department.

23. Police cannot do much in the sphere of rehabilitation. But it must have greater confidence in the reformatory activities of the jails. A discharged prisoner is mostly a cured citizen.

CHAPTER VIII

Education of Prisoners

1. The purpose of education in correctional institutions is to make the deviants good citizens. Correction is basically an educational process. It aims at personality modification.

2. Children's institutions, covering all offenders upto the age of 18 years should be regarded as specialised residential institutions.

3. Those who do not like to continue their studies beyond middle class, should be encouraged to take up vocational training. It shall be better to attach a vocational training centre of the industries department to specialised institutions.

4. It would be better to have a separate institution for mentally and physically handicapped children.

5. For those adults above 30 years of age, a multifaced social programme is very necessary.

6. The success of educational programme depends on competent and qualified teachers. Educated inmates, who, enjoy confidence of the prisoners may also be utilized for the purpose.

7. Class rooms should conform to such specifications and self-study should be encouraged by providing adequate lighting and seating arrangements in barracks.

8. Jail libraries should be properly organised. Contacts should be established with local libraries. As far as possible, there should be a whole time librarian.

CHAPTER IX

Jail Industries.

1. Proper incentives should be given to encourage prisoners to complete their full extra-task.

2. There should be indentical work for both, convicts and undertrials. Prospects of better opportunities in life and even wage scheme shall be sufficient allurements to draw undertrials to work who would otherwise waste their time. As the Inspector General suggests they can work on vegetable gardening, agriculture, rope-making, basket making and cane work and be paid full wages at the rate of 75 P. and those who work at their option can thus be paid 50 P. for full task done. Biri making can be another industry fit for both undertrials and short-termers.

3. A credit account for undertrials can be opened for remission, which would be 'paid' in

accumulated form after conviction or 'Liquidated' if released without conviction.

4. For carefully selected inmates, the possibilities of work and training in semi-open and open institutions, nation building institution etc., should be fully utilized for purposes of diversification of training and work.

5. Jail labour is essentially educative for social rehabilitation of prisoners, reward for this labour is paid on the basis of both productivity and diligence and should not be equated with the reward for free labour which is paid for actual productivity. Prison industries should not be viewed as commercial ventures primarily.

6. The present industrial programme in Rajasthan jails requires diversification.

7. Handloom industry does not offer much scope for employment or rehabilitation of prisoners but it is at present profitable to prisons. It may be continued as a useful training for undertrials and short-term prisoners who cannot be given any other occupation in view of their short-stay in prison.

8. Tanning and footwear trade has employment potentiality but present training in this trade in Rajasthan prisons is not sufficiently mechanised or modernised. The Alwar Shoe Factory requires a minimum investment of Rs. 5,000 to be modernised.

9. Industrial education in prison should be of such a nature and in such group of industries as can offer ready employment, either as self-employed person or as wage earner in established factories on skilled or unskilled jobs.

10. Location and production pattern of jail industries should be on twin considerations of education plus profit as is the case in America or Phillipines.

11. Industrial concerns, particularly at Jaipur Beawar, Bhilwara, Udaipur and Kota are in constant need of trained workers. The textile mills of Bhilwara, Beawar and Udaipur and some Jaipur concerns are willing to accept ex-convicts. This opportunity should be utilized. Trustworthy convicts should be concentrated in jails nearest to such factories and allowed to receive training offered.

12. Private enterprise should not be allowed to run industries inside jail compound.

13. It may not be proper to mechanise all major industries in prisons as 70 per cent of the convicts belong to rural areas and their requirements cannot be ignored.

14. There should be better publicity and sale compaigns for jail products, a special officer should be appointed to manage and co-ordinate sales of jail products and an emporiũm should be opened at Delhi and Jaipur for their display.

15. Industry-wise recommendations are made in this chapter.

Whenever possible emphasis in jails having sufficient land should be on agricultural work. Bhilwara and Alwar jails have good scope in this regard. In places like Bhilwara where there is no much market value of vegetablesd crops should be cultivated. Even with an

investment of Rs. 6 to 8 thousand on such jails, besides the investment on Bharatpur jail, the production of food and vegetables would be sufficient. A special officer for agriculture should be appointed in the grade of Rs. 185-400.

A farm and agricultural training centre should be started with 15 starred prisoners and an investment of Rs. 7,000 be made at Bharatpur jail to produce cereals. The annual out-turn shall be equal to Rs. 10,000 and annual saving will be of Rs. 2,000. The Ministry of Agriculture should be requested to depute an Agriculture Officer and prepare a training schedule for the jail.

Allied crafts of carpentry, blacksmithy, masonry should be introduced at Training Centres and at other places where it is economical to do so.

16. *Wages and Costing.*

A scheme for payment of wages to all workers should be introduced gradually. It should be introduced at once in (i) Agricultural Farm, Bharatpur (2) Textile Industry at Jaipur, Jodhpur, Bikaner, Udaipur and Kotah and (3) Tailoring industry at Juvenile Reformatory, Female Reformatory and at Jodhpur. The wage rate at (1) and (2) should be rupee one for skilled and 75p. for an unskilled worker for full task as per schedule. After deducting clothing and diet charges, actual payment for about 500 workers shall be about Rs. 415.00 daily which will be covered by the value of produce. If the scheme

in these industries is successful, it should be extended to others.

Wages should be paid after full task is done which should be increased to form market level. Even if there is a loss to Government on overheads it should be borne because irrespective of whether wages are paid or not the Government shall have to maintain the prisoners. On proper accounting the Government may even find itself profited.

The present classification of workers, into skilled and unskilled should be done away with. The practice of commercial accounting followed at present should be given up so that the jails may be recognised as non-commercial ventures and to follow commercial, accounting pattern is contradiction in terms. As shown by other States experience, even without commercial accounting, jail on industries can pay Jail over-heads charges.

The present system of wages and costing are unscientific and would be given up. A more scientific cost-wage structure shall be as follows :—

1. Cost of raw material.
2. $6\frac{1}{4}$ per cent depreciation on machinery or tools.
3. One per cent supervision charges.
4. Wage equal to rate of free labour for work of identical amount or quality or proportionately.

19. Social Welfare Department or Social Welfare Agencies should find out employment for ex-convicts; those who become self-employed should be given loan and machinery on hire-purchase basis, if possible.

CHAPTER X

Agriculture in Jails

1. Agriculture needs greater attention.

2. Agricultural production should be valued in terms of money and the money value of such production should be treated as income for that particular institution, where it is grown. This shall not only give workers the satisfaction of having done productive labour but shall also reduce the expenditure on that jail.

3. As far as possible improved implements of farming be provided to such jails.

4. Arable and non-arable land should be reassessed and then a better plan of land utilization in jails should be introduced.

5. As majority of our prison population is rural just one proposed agriculture farm at Bharatpur shall not be sufficient to train all rural prisoners. Therefore, agriculture should not be neglected in other prisons. We have stated that Alwar and Bhilwara also can be good places for developing agricultural farms. Agriculture Department should depute an officer to Bharatpur jail for some time to give it scientific guidance.

6. In regions where rainfall is low, uncertain and highly variable, good results can be

obtained by following scientific nature of dry farming, which is a rational method of cultivating purely rain-fed crops in regions of low and erratic precipitation. The object of this method is to maintain fertility, and conserve the maximum amount of rain water in the soil.

7. Wherever possible jails should be made self-sufficient in the production of vegetables. It should be the responsibility of the Inspector General of Prisons to see that necessary steps are taken towards this end.

8. Where vegetable growing is not an economic proposition, due to local market considerations or consumption is or due to small population, cereals should be grown.

9. Sa'ganer Sampurnanand Open Camp should be given agricultural bias.

10. There should be subsidiary industries attached to jail agriculture, namely carpentry, blacksmithy and masonry.

11. A Special Officer in the grade of Rs. 185-400 should be appointed to coordinate and guide prison agriculture activities. He should be attached to the headquarters and should be constantly on tour.

12. Prison staff should be allowed a scheduled, free quota of vegetables, fixed by the Inspector General of Prisons after meeting the full requirements of the prisoners. This shall not only give impetus in pushing agriculture and growing of vegetables but also help the poorly paid staff.

13. Financial implications of the recommendations are :—

1. Rs. 10,000 to improve water supply in Jails where agriculture is to be pushed.
2. Rs. 7,000 for Bharatpur Farm.
3. A Special Officer for Agriculture in the grade of Rs. 185-400.

CHAPTER XI

Punishment and Rewards

The following recommendations are made in view of the need for integrated growth of correctional policy in Rajasthan :—

1. Conditions for 'star-marking' system be changed and the system of classification as recommended by the Commission should be introduced.

2. There should be only two categories i. e. convict Night Watchmen (C.N.W.) and Convict Overseers (C.O.) whose remunerations and remissions have been recommended in this chapter.

3. The Sweeper should be paid minimum allowance of Rs. one per month.

4. The existing ordinary remission should continue but special remissions in 12 months are to be reduced from 90 days (Superintendent 30 days and Inspector General of Prisons 60 days) to 30 days (10 plus 20 respectively,) with the increasing use of parole, probation etc., special remissions are not required. The prerogative of the state in granting remission have

been defined, Remission for women has been recommended in a separate chapter. For bad conduct, forfeiture in remissions should not be more than three-fourth of the remission due in usual course, Also it should not exceed 12 days and 30 days at a time by the Superintendent and the Inspector General of Prisons respectively and 90 days by the Government for one offence.

Special remission allowed in Anupgarh open Camp may continue for some time but as a rule it has no justification.

5. It is recommended to provide for clothing for simple imprisonment and for undertrial prisoners also if they do not prefer clothings of their own.

6. Release of infirm prisoners be undertaken in close consultation with the social welfare department. All such cases should be directly taken up by Welfare Officer for proper rehabilitation and after care, preferably through existing State institutions and voluntary agencies.

7. It is recommended that use of cross-bars and standing hand-cuffs be abolished.

8. It is recommended that there should be enough flexibility in matters of interviews and correspondence and other forms of convicts relationship with his kinsfolk. The prison welfare officer should be incharge of such activities and he must have a full record of visits, correspondence etc. regarding each prisoner.

9. The Commission recommends that deposit of cash and eatables should be permitted

for the prisoners in all jails in Rajasthan. However, no luxury articles should be permitted. The extent of deposit of cash and eatables should be determined by the Jail authorities keeping in view that such deposits do not create situations where process of adjustment and reforms is disturbed.

CHAPTER XII

Probation

1. Probation should be regarded as a method of diversifying disposition by courts.

2. Probation services should be properly organised and its extensive use should be made for short-termers.

3. For effective rehabilitation, it is necessary to have a large field service of special workers with special training in correctional work including probation.

4. The services of Jail Welfare Officers and Probation Officers should be coordinated for the sake of greater efficiency.

5. A Children's Act is very necessary for the State and the State Legislature should enact it, soon.

6. Probation Officers shall serve better if there is a Children's Act.

7. A Beggars Home and two Remand Homes are immediately required.

8. Probation is not only a method of amenities. It introduces a new standard in criminal

justice. It is not procured piecemeal in such a scientific work.

9. A network of properly organised probation service is needed in Rajasthan and its modus operandi in relation to the treatment and rehabilitation of prisoners is given in the chapter. Probation officers have to provide full information and history of the offender, report on the suitability of his release on parole, probation or leave, supervise the parolees or probationers, contact prisoners well ahead of their eventual release, give advice and guidance to released prisoners etc.

10. There should be single agency for social case work situations in the correctional field and duplication of agencies for the various types of allied correctional and related social services should be avoided.

11. Probation is not a method of leniency. It is the most suitable method of dealing with certain types of offenders in the interest of protecting society.

12. It may not be possible for the State to provide for an adequate number of probation officers to cover the vast area of Rajasthan. There should be panel of voluntary social workers to assist them. The courts may select an honorary probation officer out of this panel. But the Commission does not favour the appointment of fully authorised non-official probation officers, even on part time basis.

13. There should be one lady probation officer in each probation region.

14. It would be desirable to have voluntary social agencies, local and on State level to perform various aspects of probation e. g. to run aftercare homes, etc.

15. Over-all responsibility of running probation work should be of the State and it should be placed under the Home Department. The Chief of the probation services be designated as Director of Probation Services. The volume and technicalities of the work involved justify the creation of such a post.

16. Since Rajasthan is making a beginning, it may have a Chief Probation Officer at the Headquarters and in course of time one Chief Probation Officer for each administrative division.

17. There should be local probation committees with the District Magistrate as Chairman to help the local probation officer.

18. The rules regarding the formation of voluntary societies in such spheres, as laid down by the Government of Rajasthan, are too rigorous to stimulate their formation and development. The rules need relaxation.

19. The State should set up probation homes and hostels in adequate numbers.

20. Trained personnel are needed for probation work. Suggestions for such training are given in the Chapter.

21. A training reserve of at least ten per cent of the paid cadre should invariably be provided in the sanctioned strength.

CHAPTER XIII

Administration.

1. Lock-ups within a radius of 35 miles from the district headquarters should be closed.

2. All District headquarters should have a district jail unless two district headquarters are in close proximity.

3. The designation of the head of the jail, officer-in-charge or deputy superintendent, shall be "Superintendent".

4. All administrative personnel should be trained in the job.

5. The two posts of Deputy Superintendents in the two 'B' Class district jails should be up-graded and designated as Superintendents.

6. 50 per cent of the posts of the Superintendents of District Jails should be filled by promotion and 50 per cent by recruitment. The promotion should be at Seniority-cum-merit basis.

7. Warder should be recruited directly by a selection Committee and they should have read up to VIIIth standard. The selection of the post of head-warders should be on seniority-cum-merit basis. 25 per cent of the Head Warders may be promoted to the post of Assistant Jailors by the Selection Committee referred to in the chapter.

8. 50 percent of the jailors shall be promoted from the cadre of the Deputy Jailors and Deputy Jailors shall be promoted from the rank of Assistant Jailors.

9. The ministerial and executive shall be amalgamated and interchangeable, both enjoying equal privileges.

10. The two roaming Inspectors of Sub-Jails may not be needed in the long run but at present they are rendering useful service.

11. The Director of Jail Industries should be promoted to the rank of Superintendent, District Jail, A Class but his status shall be above this rank.

12. The present Assistant Inspector General of Prisons should be designated as Deputy Inspector General of Prisons. Being second in command to the Inspector General of Prisons and as over-all incharge of the jails of the State, next to the Inspector General, his duties and responsibilities require better status and designation. He should be at once designated as Deputy Inspector General, Prisons.

13. Revision in pay scales, keeping in view the finances of the state as well as compatibility with duties and responsibilities has been suggested in the chapter. T. A., D. A. and other facilities for the staff have also been suggested. Pay scales suggested do not go beyond the prevalent pay scales in Rajasthan and are keeping with the recommendations of the recent Administrative Commission of Rajasthan.

14. Allowance for the in-charge of Sub-jails and increase in allowance of part-time medical officers has also been suggested.

15. Facility for residence, cooperative society, free quota of vegetables, etc., to the staff have also been recommended.

16. Financial implications of the recommendations have been worked out. Transport expenses to be incurred on sending undertrials to courts due to the closure of lock-ups has also been worked out. New productive programmes have been suggested in other chapters and the department shall actually be run on profit.

17. If the 17 Lock-ups, as suggested in the Chapter are closed, their buildings shall be surrendered to the Government for use or disposal. The face value of these buildings shall not be less than Rs. 20,000 each. Thus, the approximate saving to the Government shall be Rs. 3,40,000.

18. If reforms are to be introduced, the administrative set-up should also be reformed.

CHAPTER XIV

Jail Audit And Accounts

1. The Inspector General may order internal audit in central and district jails only if he is satisfied that it is necessary to do so.

2. The Government should clearly modify regarding the responsibility of the auditing of the accounts of the District and Central Jails and if it is finally resolved that the Inspector General of Prisons is responsible for the internal audits of all institutions under him, he may be given the required personnel for this job.

3. Under the present procedure it takes a good deal of time to finally take steps in the cases of embezzlement discovered by the Head

Office. In the last five years, out of eleven cases mostly detected by the Head Office, only three could be finalised. Five cases pending with the Commissioner for Departmental Enquiries.

4. Internal auditors should not only find out the flaws but should also guide and advise about maintenance of the accounts.

5. Instead of increasing the number of clerks in the Accounts Department, the quality of personnel should be increased. If the responsibility of internal audit for District and Central Jails, is to rest on the Inspector General of Prisons, he may need a few hands more after some time.

6. The present anomaly of the Accountant and the Assistant Accounts Officer in the same grade should be removed. The Finance Department should be requested to either revise the scale of pay of Assistant Accounts Officer or give him some Special Pay. Deputation to jail Department should be for a minimum period of three years.

7. There should be an Accountant under the Accounts Officer and if this officer is deputed from Finance Department, it should be for a period of five years.

8. Detailed written instructions should be given to auditors about their duties.

9. A copy of the General Financial and Accounts Rules, Rajasthan Service Rules and Rajasthan Jail Manual should be available in all

jails, sub-jails and the same should be given to all internal and external auditors.

10. Officer-in-charge of all jails and sub-jails should have financial powers to pass the bills for payment of approved items and these bills should not go to the Head Office.

11. As there is a qualified Accounts Clerk at each Central jail and his statements are verified by the Superintendent, there is no necessity of midterm checking and un-necessary expenditure in these respects should be avoided.

12. The re-allocation of duties in Accounts Office has been suggested. According to re-distribution of work five Accounts Clerks and three Lower Division Clerks shall be needed at the Head Office.

13. For internal audit, three Accounts Clerk and one Inspector of Stores and Accounts in the alternative one Accountant, one Accounts Clerk and one Lower Division Clerk are required.

14. Thus in all, eight Accounts Clerks, three Lower Division Clerks and one Inspector of Stores and Accounts for the general work and one Commercial Accountant and three Lower Division Clerks shall be needed for industries section at the Head office. In all five more posts of Accounts Clerks shall be needed and in place of the same two posts of Upper Division Clerks and four posts of Lower Division Clerks shall be surrendered to the Government.

15. Audit and Accounts should be separate. Six months before the term of deputation is due

to expire of the officers sent from the Finance Department the latter should enquire from the Inspector General whether he wants to retain these officers. In case the reply is in the affirmative, the said officer may be given a further term.

16. There should be a Central Purchase Committee and Local Purchase Committee. The constitution and powers of both are detailed in the chapter. Greater power and discretion should be exercised by the Inspector General and the Superintendents of Jails. Medical incidents should be sent direct to the Medical Department with no intermediate authority. Emergency purchases for medicines may be permitted to the Superintendents. Jail budget should have an item for medicines also.

17. Delegation of powers for purchases has been suggested. Authority to enter into contract has been laid down.

11. Procedure has been suggested for articles to be written off and disposed.

19. Unserviceable stocks are worth nothing. They should be sold away or disposed off as the local Superintendent of Jail thinks best.

20. For future guidance Notification No. F.18 (a) (2) F.D.A. (Rules)/60—dated 31-5-1961 should be strictly followed.

21. Regarding the preservation of records, Jail Department Order No. DRK-6/35785-872, January, 1960 is clear, good and sufficient. Only it is not being followed, its strict observance is recommended.

CHAPTER XV

Training of Prison Personnel

1. Effectiveness of Correctional Institutions and the impact of treatment on inmates primarily depend on the systematic and scientific training of the personnel of the staff.

2. A better qualified staff than at present in Rajasthan jails is needed for proper implementation of correctional programmes. But the necessity of the personnel including refresher courses cannot be well-emphasized.

3. There should be a Training School for the staff of all categories in the Jail Department of Rajasthan and it should not depend on such institutions in other States. This Training School should have a system of refresher courses and also carry on research, publications etc. This Institution should be located at Jaipur.

4. The approximate number of trainees shall not be less than 40 at a time. The staff for the same has been provided.

5. The recruitment rules and other service conditions of the staff of the school shall be laid down by the Government.

6. In view of the finances of the State a modest beginning should be made with a non-recurring expenditure of Rs. 10,000/-and a recurring expenditure of Rs. 10,000/-per year.

7. A curriculum for the training programme for the various categories of the staff has been given.

8. Inter-State study tours for the trainees should be organised and facilities for trainees have been recommended.

CHAPTER XVI

Panchayat & Co-operative

1. Social solidarity and reciprocal assistance are necessary in society for meeting the needs of the individual. In Jails this can best be fostered by introducing Cooperatives and Panchayats. These constitute a part of Social Education suggested by the All India Jail Manual Committee.

2. Cooperative Societies and *Panchayats* in jails are the best media for maintaining liason between the Correctional Administration and prisoners

3. Cooperative Societies and *Panchayats* are a vital part in our Plans and therefore, if this education is given inside the jails, it shall provide a good training in citizenship apart from other advantages.

4. The Cooperative Societies at Jodhpur, Udaipur, and Jaipur Jails and the Consumer's Store Society, Jaipur Jail should be open to wage-earning prisoners also. Jail contracts like that of canteen, clothing, furniture etc., may be given to such cooperative societies.

5. Industrial Cooperative for prisoners can be organised only after jail industries are satisfactorily developed.

6. The Registrar, Cooperative Societies should permit amendment in bye-laws of jail Cooperative Societies to admit wage-earning prisoners.

7. An Industrial Cooperative scheme as suggested in this chapter should receive careful attention of the Government. The Commission recommends that the scheme be given a trial.

8. Proper guidance is necessary for a successful working of the Panchayat otherwise they can be hot beds of jail intrigues. It is also necessary to give these *Panchayats* an "ideology" to work.

9. Prisoners should be made to know that jail panchayats are a privilege and not a matter of right. If this privilege is not properly made use of, it would result in the withdrawal of the same. The decision of the Superintendent of the Jail in all matters pertaining to *Panchayats* shall be final.

10. In closed jails the *Panchayats* should be allowed to manage only two functions—that is, sanitation and mess arrangements.

In Open Camps some administrative duties may be passed on to the inmates gradually.

11. Essentially jail *Panchayats* shall be advisory bodies and should be named as *Paramarsh Samities*.

12. Jail Welfare Officers should guide the Jail *Panchayats*.

CHAPTER XIX

APPENDIX 'A'

ATTENDANCE OF MEMBERS IN THE SITTINGS OF THE COMMISSION

S. No.	Name of the Member	No. of sittings attended
1.	Shri Paripurnanand Varma, Chairman	47 + 4 = 51
2.	Dr. (Mrs.) Mangla Devi Talwar, Member	39 + 4 = 53
3.	Shri N. N. Bhatnagar, Member-Secretary	37 + 2 = 39
4.	Shri Kewal Singh Pawar, I. G. Prisons	36 + 3 = 39
5.	Dr. T. K. N. Unithan, Member	36 + 4 = 40
6.	Shri Gulab Singh, Member	32 + 1 = 33
7.	Shri Achleshwar Prasad Sharma, Member	31 + 2 = 33
8.	Shri J. J. Panakal, Member	29
9.	Shri T. N. Chaturvedi, Member	28 + 2 = 30
10.	Shri Bhawani Mal, Member	19 + 4 = 23
11.	Dr. B. S. Haikerwal, Member	19 + 4 = 23
12.	Shri D. N. Ray, Member	18
13.	Swami Kumaranand, Member	10 + 2 = 12
14.	Dr. R. N. Saksena, Member	9
15.	Shri K. S. Ujjwal, Member-Secretary	8 (Trans- ferred)
16.	Shri Jwala Prasad Sharma, Member	3
17.	Shri Hakikat Rai, Member	2 (Trans- ferred)

APPENDIX 'B'

Progress of Jail Industries in Rajasthan Jails for the Last Five Years

The Rajasthan Jail Factories have manufactured the following articles during the last five years :—

Year	Cloth		Durries		Carpets		Niwar, Tape & Rope		Miscellaneous (In Rs.)
	Quantity in Sq. yards	Cost in Rupees	Quantity in Sq. yards	Cost in Rupees	Quantity in Sq. yards	Cost in Rupees	Quantity in Md.Srs.Chh	Cost in Rupees	
1957-58	1,50,268	1,73,716.00	23,750	1,42,886.00	350	25,792.00	106-0-0	22,207.00	1,31,117.00
1958-59	2,43,527	2,49,229.00	32,995	2,02,104.00	500	42,026.00	229-0-0	45,680.00	1,62,483.00
1959-60	3,24,537	2,49,305.00	73,798	2,54,399.00	650	40,115.00	58-25-0	11,727.00	2,37,401.00
1960-61	1,97,155	2,41,319.00	47,347	2,38,337.00	2,316	67,536.00	67-19-0	12,747.00	3,49,329.00
1961-62	1,80,517	3,18,117.00	49,029	2,73,169.00	890	96,278.00	124-32-0	28,907.00	3,61,429.00

APPENDIX 'C'
Expenditure and Revenue of Rajasthan Jails During Last Five Years. (Actuals)

Year	Total expenditure in all (Actuals)	Total income from all sources,
1958-59	Rs. 31,43,976/—	Rs. 4,20,844/—
1959-60	Rs. 32,57,490/—	Rs. 5,18,080/—
1960-61	Rs. 35,34,691/—	Rs. 5,38,935/—
1961-62	Rs. 36,11,511/—	Rs. 6 99,681/—
1962-63	Rs. 36,99,720/—	Rs. 7,42,060/—

APPENDIX 'D'

Jail Population During the Last Five Years

3 (a) Disposal of Prisoners.

Year	Total No. of prisoners at the of the commencement of the year					Total No. of Prisoners received during the year.					Total No. of Prisoners Discharged from all causes				
	Convicts	U. Trials	Civil Prisoners	Detenus	Total	Convicts	U. Trials	Civil Prisoners	Detenus	Total	Convicts	Under Trials	Civil Prisoners	Detenus	Total
1958-59	2,713	1,339	13	11	4,076	10,948	18,741	107	4	29,800	10,846	18,636	113	14	29,609
1959-60	2,815	1,444	7	1	4,267	9,642	17,064	99	1	26,806	9,630	17,072	102	2	26,806
1960-61	2,827	1,436	4	-	4,267	10,972	19,075	90	-	30,137	11,002	18,977	88	-	30,067
1961-62	2,797	1,534	6	-	4,337	11,421	18,926	67	7	30,421	11,260	18,843	67	7	30,177
1962-63	2,958	1,617	6	-	4,581	12,730	18,587	103	18	31,438	12,419	18,733	100	4	31,256

APPENDIX 'E'
3 (a) Sentence Wise Statistics of Admitted Convicts

Year	Male con- victs under 1 years' sentence	Male con- victs from 1 year to 3 years.	Male con- victs from 3 years to 10 years.	Male con- victs above 10 years	Life convicts	Female convicts	Grand total	Remarks
1958-59	8,155	1,528	733	53	297	182	10,948	These figures include females and Juveniles.
1959-60	7,098	1,154	842	26	365	157	9,642	
1960-61	7,394	2,280	599	122	399	178	10,972	
1961-62	8,496	1,457	861	56	369	182	11,421	
1962-63	8,620	1,900	1,234	44	695	237	12,730	

APPENDIX 'F'
3 (c) Age Group of Admitted Convicts.

Year	Below 18 years.		From 18 to 22 years.		From 22 to 40 years.		From 40 to 60 years.		Above 60 years.		Grand Total		Remarks
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
1958-59	452	3	1,661	29	7,022	107	1,382	38	249	5	10,766	182	These figures includes juveniles.
1959-60	427	4	1,207	14	6,238	100	1,336	37	277	2	9,485	157	
1960-61	370	6	1,135	17	7,047	104	1,980	44	262	7	10,794	178	
1961-62	487	2	1,751	12	7,032	143	1,751	22	218	3	11,239	182	
1962-63	544	4	1,665	24	8,160	136	1,842	65	282	8	12,493	237	

APPENDIX 'G'**Agricultural Production in Rajasthan Jails.**

The following table shows the agricultural production in Rajasthan Jails during the last five years.

Year	Agricultural Production in Rs.	Remarks.
1958-59	87,969.00	These figures are included in the figures of Jail Industries under head miscellaneous.
1959-60	40,683.00	
1960-61	39,624.00	
1961-62	46,358.00	
1962-63	39,916.00	

APPENDIX 'H'

**Expenditure incurred on Head quarters during
the last five years.**

The following table shows the expenditure incurred on Head quarters of the Inspector General of Prisons Office during the last five years.

Year	Pay of Officers	Pay of Establish- ment	Allo- wances	Other charges	Grand Total
1958-59	24,001.00	57,806.00	28,195.00	14,673.00	1,24,675.00
1959-60	25,224.00	69,978.00	35,309.00	18,871.00	1,49,382.00
1960-61	14,718.00	73,867.00	41,284.00	17,709.00	1,47,578.00
1961-62	21,227.00	73,127.00	43,137.00	12,698.00	1,50,189.00
1962-63	24,818.00	86,340.00	41,619.00	17,309.00	1,70,086.00

APPENDIX 'I'**Literacy in Rajasthan Jails.**

A mass literacy campaign was launched in 1961, on Independence day at Central, Jail, Jaipur.

The following table shows the number of prisoners who were made literate after their admission in the various jails and sub-jails during the last five years.

Year	No. of prisoners who were made literate after their admission in Jails & sub-Jails.
1958-59	1374
1959-60	1415
1960-61	1461
1961-62	1570
1962-63	1446

Efforts are also being made for further and higher education of prisoners. During the year 1963-64, 9 female prisoners of State Reformatory for Females, Jaipur, have appeared in the 'Hindi Pravesh' examination of Bombay Hindi Vidyapeeth in September, 1963, and the result was cent percent. Two of them secured First Division, 2 secured second division and the remaining got third division, 29 Male prisoners of Central Jail, Jaipur appeared in 'Madhyama' Examination of the same Vidyapeeth in September, 1963, and 20 were successful. Two of them secured First Division, five secured Second Division and rest declared successful.

15 Female Prisoners of State Reformatory for Females, Jaipur, i. e. 6 and 9 are intending to appear in "Hindi Pravesh" and Hindi Prathama Examinations respectively, which shall be held in the last week of April, 1964. 31 Male prisoners of Central Jail, Jaipur viz. 13 and 18 are also intending to appear in "Madhyama" and "Uttama" examinations respectively from Bombay Hindi Vidyapeeth in April, 1964.

Some of the prisoners of Central Jail, Jodhpur shall appear in the examinations conducted by Rastra Bhasha Prachar Samiti, Wardha, in the month of February, 1964.

APPENDIX 'J'

Health of Prisoners.

Year	Particulars	Admission into the Jail Hospital				Discharged from the jail Hospitals				Transferred to civil Hospitals				Deaths	Daily average No. of sick prisoners.			
		Lp.	T.B.	Ln.	Others	Lp.	T.B.	Ln.	Others	Lp.	T.B.	Ln.	Others					
1958-59	Jails	2	23	12	1132	1	11	5	1046	1	4	5	80	-	5	-	9	} 4.3
	Sub-jails	-	-	-	45	-	-	-	44	-	-	-	3	-	-	-	-	
1959-60	Jails	-	30	20	1003	-	18	18	937	-	13	1	48	-	2	-	2	} 4.4
	Sub-jails	-	1	1	474	-	-	1	473	-	1	-	15	-	-	-	-	
1960-61	Jails	2	31	18	1129	2	23	17	1092	2	15	8	61	-	2	-	8	} 3.9
	Sub-jails	-	-	-	167	-	1	-	171	-	-	-	9	-	-	-	9	
1961-62	Jails	1	24	11	1028	1	11	11	994	2	9	3	63	-	1	3	2	} 3.7
	Sub-jails	-	2	-	289	-	1	-	277	-	2	-	28	-	-	-	1	
1962-63	Jails	2	33	13	948	1	23	4	697	-	15	2	71	1	2	-	2	} 3.4
	Sub-jails	-	1	1	258	-	-	1	249	-	1	1	15	-	-	-	1	

Note :—Lp.—Leprosy
Ln.—Lunacy.

APPENDIX 'K'

Jail Manual - Revision of Weights Etc.

Page No.	Item No.	Figures to be converted	Converted scale	Proposed
1	2	3	4	5
218	5	Restrictions in employment of labour 100 lbs.	45.36 Kg.	45.4 Kg.
218	5(d)	1/12 ch.	4.86 Grms.	5 Grms.
225	33	Dyeing Industry (24 yds)	21.9 Mtr.	22 Mtr.
"	"	" (4 lbs.)	1.81 Kg.	2 Kg.
"	"	" (80 lbs.)	36.29 "	36.5 Kg.
"	"	" (160 lbs.)	72.57 "	73 Kg.
"	"	" (24 yds.)	21.9 Mtr.	22 Mtr.
"	"	" (50 lbs.)	22.68 Kg.	22.7 Kg.
226	"	Warping & beaming Sec. (200 yds)	182.880 Mtr	200 Mtr.
"	"	" (300 yds)	273.32 "	300 "
"	"	" (150 yds)	136.66 "	150 "
"	"	" (900 yds)	819.96 "	900 "
"	"	" (900 yds)	819.96 "	900 "
"	"	" (400 yds)	365.76 "	400 "
"	"	" (60 yds)	54.86 "	60 "
"	"	" (200 yds)	182.88 "	200 "
"	"	" (300 yds)	273.32 "	300 "
"	"	" (150 yds)	136.66 "	150 "
"	"	" (900 yds)	819.96 "	900 "
"	"	" (900 yds)	819.96 "	900 "
"	"	" (400 yds)	365.76 "	400 "
"	"	" (60 yds)	54.86 "	60 "

Note—Mtr—Metres

1	2	3	4	5
227	33	<i>Carpenter's Work.</i>		
		5'x 3'x2½'	1.52x0. 9x0.76 Metres	150x 90x75cm
		6'x 4'x1½'	1.82x1. 2x0.45	180x120x45cm
		18"x12"x 4'	0.45x0.30x0.10	45x 30x10cm
		3,x1½'x2½'	0. 9x0.45x0,76	90x 45x75cm
		6'x1½'x 3'	1.82x0.45x0.90	180x 45x90cm
		6'x1½'x 1½'	1.82x0.45x0.45	180x 45x45cm
227	33	<i>Blacksmith's Work.</i>		
		18'x9 'x 6 '	0.45x0.22x0.15 Metres	45x22.5x15cm
228	38	<i>Cane Industry</i>		
		Dhakolas 8'	2.43 Metres	2.5 Metres
228		Odas 8'	2.43	2.5
		2'x1½'x8'	0.60x0.45x2.43 M.	60x45x240cm
		10'x8 'x6'	0.25x0.20x0.15 M.	20x20x15cm
230	33	<i>Spinning Section</i>		
		10 lbs.	4.535 kg.	4.54 kg.
		10 lbs.	4.535 kg.	4.54 kg.
		1 lb.	0.453 kg.	0.45 kg.
		1½ lb.	0.680 kg.	0.68 kg.
		11 lbs.	4.989 kg.	5 kg.
		½ lbs.	0.226 kg.	.225 kg.
		80 lbs.	36.287 kg.	36.5 kg.
		<i>Chick & Moonj Sec.</i>		
		6'x 4'	1.8x1.2	180x120 C. M.
		7'x 4'	2.1x1.2	210x120 C. M.
		6'x2½'	1.8x0.7	180x 75 C. M.
		10'x12'	3.0x3.6	300x360 C. M.
		10'x12'	3.0x3.6	300x360 C. M.
		15 Seers	13.9966 Kg.	15 Kg.
		300 Yds.	273.73 Metres	300 Metres.

1	2	3	4	5
<i>Rope Making.</i>				
230	33	1½ Seers	1.39 Kg.	1.5 Kg.
"	"	3 Seers	2.79 Kg.	3 Kg.
"	"	2½ lbs.	1.02 Kg.	2.25 Kg.
230	33	<i>Winding Section</i>		
"	"	9 lbs.	4.082 Kg.	4.1 Kg.
"	"	6½ lbs.	2.94 "	3 "
"	"	12 lbs.	5.44 "	5.5 "
"	"	½ lbs.	0.22 "	.225 "
"	"	25 lbs.	11.33 "	12 "
"	"	10 lbs.	4.53 "	4.54 "
231	33	8 lbs.	3.62 "	3.75 "
"	"	6 lbs.	2.72 "	2.75 "
"	"	5 lbs.	2.26 "	2.5 "
"	"	2 lbs.	0.90 "	1.0 "
"	"	3 seers	2.79 "	3 "
<i>Knotting</i>				
"	"	3" × 3 yds.	0.07 × 10.9	8 × 270 C. M.
<i>Durries & Carpets</i>				
"	"	7 lbs.	3.17 Kg.	3. 2 Kg.
"	"	28' × 36'	8.53 × 10.97	840 × 1080 Metres.
"	"	3' × 4½'	0.91 × 1.37	90 × 1.40
"	"	28' × 36'	1.53 × 10.97	8.40 × 10.80 "
"	"	12' width	3.65	3.60 Metres.
"	"	1½' to 2'	0.45 × 0.60	45 × 60 C. M.
"	"	(3' to 4½')	0.91 × 1.37	90 × 1.40 C. M.
"	"	2' × 3"	0.60 × 0.07	60 × 8 C. M.
"	"	2½"	0.06	7 C. M.
"	"	1¼"	0.4	4.5 "
"	"	3"	0.07	8 "
232	"	2' width	0.60	60 "
"	"	2'	0.60	60 "

1	2	3	4	5
232	33	1 $\frac{1}{2}$ "	0.03	4 C. M.
"	"	2'x6"	0.60x 0.15	60x15 "
"	"	2'x3 $\frac{1}{2}$ "	0.60x 0.088	60x90 "
"	"	2'x2"	0.60x 0.050	60x 5 "
"	"	2'x1 $\frac{1}{4}$ "	0.60x 0.044	60x4.5 "
"	"	2'x1"	0.60x 0.025	60x2.5 "
"	"	2'x2 $\frac{1}{2}$ "	0.60x 0.063	60x60 "
"	"	<i>Niwar</i>		
"	"	2" x 60 ft.	0.05x18.28	5x18 "
"	"	4" x 40 "	0.10x12.19	10x12 "
"	"	1' x 50 "	0.02x15.24	2.5x15 "
233	33	<i>Weaving Section</i>		
233	33	30% 28 yds.	0.76 25.60 M	75x25 c.m.
"	"	45 " 18 "	1.14 16.45 "	110x16.5 "
"	"	30 " 14 "	0.76 12.80 "	75x13 "
"	"	30 " 20 "	0.76 18.28 "	76x18.5 "
"	"	60 " 6 "	1.52 5.48 "	150x5.5 "
"	"	30 " 16 "	0.76 14.63 "	75x15 "
"	"	30 " 11 "	0.76 10.58 "	75x10 "
"	"	30 " 110 "	0.76 100.58 "	75x100 "
"	"	45 " 80 "	1.14 73.15 "	110x75 "
"	"	60 " 38 "	1.52 34.74 "	150x34.2 "
"	"	30 " 30 "	0.76 27.4 "	75x27.5 "
"	"	30 " 8 "	0.76 7.31 "	75x7.5 "
"	"	30 " 6 "	0.76 5.48 "	75x5.5 "
"	"	30 " 9 "	0.76 8.22 "	75x8.25 "
"	"	36 " 7 "	0.91 6.40 "	90x6.5 "
"	"	27 " 12 "	6.68 10.97 "	68x11 "
"	"	36 " 9 "	0.91 8.22 "	90x8.25 "
"	"	26 " 12 "	0.66 10.97 "	66x11 "
"	"	26 " 12 "	0.66 10.97 "	66x11 "
"	"	26 " 12 "(26"sq)	0.66	66x11 "

1	2	3	4	5
„	„	30 „ 12 „(30''sq)	0.70	75×11 „
„	„	24 „ 12 „(24''sq)	0.60	60×11 „
„	„	28 „ 6 „(46''sq)	0.71	70×5.5 „
„	„	28 „ 8 „(46''sq)	0.71	70×7.5 „
„	„	60 „ 5 „ 1.52	1.52	1.5×1.5 „
„	„	60 „ 5' „ 1.52	1.52	1.5×1.5' „
„	„	60 „ 3½ „ 1.52	1.06	1.5×1.07 „
„	„	28 „ 1½'(46'')0.71	0.45	70× 45 „
(1.16)				



सत्यमेव जयते

APPENDIX 'L'

Conversion of Weights, Lengths, Etc. in to Metric System

Page	Rule	Existing Scale.	Conversion	Proposed Scale
1	2	3	4	5
9	16	One lb. Flour	0.453 Kg.	450 Gr.
		1/8 Chh. Salt	7 Gr.	7 Gr.
36	6	Superficial area		
		In Barrack 36		
		„ Hospital 34		
		„ Cell 75		
		Cubic Space		
		In Barrack 500		
		„ Hospital 900		
		„ Cell 1000		
		Lateral Ventilation		
		In Barrack 10		
		„ Hospital 10		
		„ Cell 10		
36	7	Dimension of Cell	3.6576x2. 43843½x2½x4. Metre	
		12' x 8' x 13'		
		Ventilation	1.9812x0. 7874	2 x 1
		6½' x 2½'		
		Windows 4' x 2'	1.2192x0. 6096	1½x1
38	15	Bed		
		6' in height	0.1524 M.	1/4 m.
		6 Feet long	1.8288 „	2 m,
		2 Feet Broad	0.6096 „	1 m.
38	17	(1) Fifty Sq. yards		
		as standard		
		yard space	15.24 M.	15 m.
		(2) Minimum distance		
		inside the Jail from		
		the outer enclosure wall	4.877 M.	5 m.

1	2	3	4	5
	(3) Minimum height 15 feet.	4.572 M.		5 M.
	(4) Distance between the beltens on the tiled roof six inches.	0.152 M.		$\frac{1}{4}$ M.
39 19	Line 5 Barracks to be whtfe washed to 10 Feet height.	3.048		3 M.
130 374	Lubricating oil			
	(b) $1\frac{1}{2}$ Gallon	6.82 Litres		6.80 Litres
	Paraffin wall 1 lb.	.453 Gr.		450 Gr.
	Jute dressed 1 lb.	.453 Gr.		450 Gr.
150 12	Scale No. 1 Milk 24 Chh.	1.395 Kg.		1.400 Kg.
	Scale No. 2			
	1 Seer Milk	0.930 Kg.		950 Gr.
	2 Chh. Sago	0.116 Kg.		120 Gr.
	1 Chh. Sugar	0.058 Kg.		60 Gr.
	Scale No. 3			
	4 Chh. Rice	0.233 Kg.		225 Gr.
	1 Seer Milk	0.930 Kg.		950 Gr.
	1 Chh. Sugar	0.058 Kg.		60 Gr.
	Scale No. 4			
	6 Chh. Rice	0.349 Kg.		350 Gr.
	2 Chh. Dal	0.116 Kg.		120 Gr.
	Scale No. 6			
	10 Chh Wheat flour	580 Gr.		600 Gr.
	1 Chh. Dal	0.58 Kg.		60 Gr.
	1/12 Chh. Ghee	5 Kg.		5 Gr.

1	2	3	4	5
	4/26 Chh. Oil	.009 Kg.		10 Gr.
	4 Chh. Vegetable	0.233 Kg.		225 Gr.
	1/50 Chh. Chillies	0.001 Kg.		1 Gr.
	1/50 Chh. Turmeric	0.001 Kg.		1 Gr.
	$\frac{1}{4}$ Chh. salt	0.015 Kg.		15 Gr.
(c)	Extra fuel			
	Threc Seer	2.790 Kg.		2.790
	Two Seer	1.860 Kg.		1.850
	Note			
	Five Chh. Fuel	0.291 Kg.		290 Gr.
	One Seer Milk	0.930 Kg.		950 Gr.
151	16 Suji or Sago 1 Chh.	0.058 Kg.		60 Gr.
	Milk 2 Chh.	0.116 Kg.		120 Gr.
	Sugar 1/4 Chh.	15 Gr.		15 Gr.
152	18 Milk $\frac{3}{4}$ Seer	0.699 Kg.		700 Gr.
	Vegetable 4 Chh.	0.233 Kg.		225 Gr.
	Fruits 4 Chh.	0.233 Kg.		225 Gr.
153	Note One Chh. Dal	0.058 Kg.		60 Gr.
1.				
	Scale No. 1			
	Adult Male $5\frac{1}{2}$ Chh.			
	flour.	0.320 Kg.		320 Gr.
	Scale No. 2			
	5 Chh. Flour	0.291 Kg.		290 Gr.
	Vegetable etc.			
	Dal $1\frac{1}{2}$ Chh. 1 Chh.	0.087 Kg. 0.058Kg.		90Gr.60 Gr.
	Veg. 4 Chh. 4 Chh.	0.223 Kg.		225Gr.
	Oil $\frac{1}{4}$ Chh. 1/6Chh.	0.15 Gr. 0.010Kg.		15 Gr. 10 Gr.
	Condiments 1/8Chh. 1/12Chh.	0.7 Kg. 0.05Kg.		10 Gr. 10 Gr.
	Salt. 5/16 Chh. $\frac{1}{4}$ Chh.	15 Gr.		15 Gr.

1	2	3	4	5
154	22	Scale of Rice		
		Rice 8 Chh.	0.465	450 Gr.
		Dal 2 Chh.	0.116 Kg.	120 Gr.
		Veg. 5 Chh.	0.291 Kg.	290 Gr.
		Including Onc Chh Leafey Vegetable.		
		Oil 4/5 Chh	48 Gr.	50 Gr.
154	25	One Chh. Gur	0.58 Kg.	60 Gr.
154	26	One Chh. Gur	0.58 Kg.	60 Gr.
		or ½ Chh. Khajoor	0.29 Kg.	30 Gr.
154	27	One Chh. Gur	0.58 Kg.	60 Gr.
154	28	Four Chh. Rice	0.233 Kg.	225 Gr.
		13 Chh. „	0.758 Kg.	750 Gr.
155	30	One Chh. Wheat	0.058 Kg.	60 Gr.
155	31	Wheat Atta 1 Chh.	0.058 Kg.	60 Gr.
		Sugar 1 Chh.	0.058 Kg.	60 Gr.
		Ghee 1 Chh.	0.029 Kg.	30 Gr.
		Fuel 4 Chh.	0.233 Kg.	225 Gr.
156	32	Chatni 1/6 Chh.	10 Grams.	10 Gr.
	(b)	Salt 1 Chh.	58 Grams.	60 Gr.
		Chillies 1/4 Chh.	15 Gr.	15 Gr.
		Minit 2 Chh.	116 Gr.	120 Gr.
		Tamarind 5 Chh.	291 Gr.	290 Gr.
		Patwa 5 Chh.	291 Gr.	290 Gr.
	(d)	Lime Juice ½ Chh.	30 Gr.	30 Gr.
		Amchur 1/12 Chh.	5 Gr.	5 Gr.
		Patwa or rosolle		
		1/12 Chh.	5 Gr.	5 Gr.
		Tamarind 1/12 Chh.	5 Gr.	5 Gr.
		Note (1)		
		Antiscorbutes		
		1/6 Chh.	10 Gr.	10 Gr.
157	(5)	Satl 1/16 Chh.	4 Gr.	4 Gr.

1	2	3	4	5
157	33	Tamarind		
		1/64 Chh.	1 Gr.	1 Gr.
		Turmeric 1/64 Chh.	1 Gr.	1 Gr.
		Chillies 1/64 Chh.	1 Gr.	1 Gr.
		Onions 3/128 Chh.	1 Gr.	1 Gr.
		Coriander		
		1/128 Chh.	1/3 Gr.	1/3 Gr.
157	34	Fuel 8 Chh.	$\frac{1}{2}$ Kg.	500 Gr.
		„ 10 Chh.	0.581 Kg.	580 Gr.
		„ 12 Chh.	0.700 Kg.	700 Gr.
158	37(a)	Rice 2 Chh.	0.116 Gr.	120 Gr.
		Mustard Oil $\frac{1}{2}$ Chh.	29 Gr.	30 Gr.
	(c)	Milk 6 Chh.	0.349 Kg.	350 Gr.
		Rice 2 Chh.	58 Gr.	60 Gr.
		Dal $\frac{1}{2}$ Chh.	29 Gr.	30 Gr.
	(d)	Milk 4 Chh.	0.2 Kg.	225 Gr.
		Rice 4 Chh.	0.233 Kg.	225 Gr.
		Dal $\frac{1}{2}$ Chh.	29 Gr.	30 Gr.
158	38	Chart of diet		
		Clean Rice 2 Chh.	0.116 Kg.	120 Gr.
		Milk 3 Chh.	0.174 Kg.	180 Gr.
		Sugar $\frac{1}{4}$ Chh.	15 Gr.	15 Gr.
		or		
		Clean Rice 2 Chh.	0.116 Kg.	120 Gr.
		Salt 1/16 Chh.	4 Gr.	4 Gr.
		Mid day Meal		
	1.	Wheat flour $8\frac{1}{2}$ Chh.	0.494 Kg.	500 Gr.
		or		
	2	(Wheat flour 5 Chh.	0.291 Kg.	290 Gr.
		(& Clean rice 4 Chh.	0.233 Kg.	225 Gr.
	3.	Dal 3 Chh.	0.174 Kg.	180 Gr.

1	2	3	4	6
	or			
	Dal with meat	2 Chh.	0.116 Kg.	120 Gr.
	or			
158 38	Dahi or Milk	4 Chh.	233 Kg.	255 Gr.
	Veg.	3 Chh.	175 Gr.	180 Gr.
	Oil	1/16 Chh.	4 Gr.	4 Gr.
	Salt	1/16 Chh.	4 Gr.	4 Gr.
	Tamarind	7/16 Chh.	1/8 Chh. 7 Gr.	7 Gr.
	Turmaric	6/64 Chh.		
	Chillies	1/64 Chh.		
	Onions	3/128 Chh.		
	Corriander	1/128 Chh.		
159 41	Eighth Line			
	One Chh. Dal		58 Gr.	60 Gr.
	16th Line			
	Animal food	2 Chh.	116 Gr.	120 Gr.
	Eighteenth Line			
	One Chh. Dal		58 Gr.	120 Gr.
160 42	Flour	10 Chh.	583 Gr.	600 Gr.
	Fur	1 Chh.	58 Gr.	60 Gr.
	Parched gram	2 Chh.	116 Gr.	120 Gr.
	Salt	1/4 Chh.	14 Gr.	15 Gr.
	Parched rice	14 Chh.	816 Gr.	820 Gr.
	Gur	1 Chh.	58 Gr.	60 Gr.
	Salt	1/4 Chh.	14 Gr.	15 Gr.
(3)	Parched gram	8 Chh.	466 Gr.	450 Gr.
	Gur	2 Chh.	116 Gr.	120 Gr.
162 55	7th line	9 1/2 inches	214.300 M.M.	241.300 M.M.
165 70	5 1/2 Chh. Flour		320 Gr.	320 Gr.
	Wet.	7 Chh.	408 Gr.	400 Gr.
	Scale II	5 Chh.	219 Gr.	290 Gr.
	Wet.	7/12 Chh.	413 Gr.	410 Gr.

1	2	3	4	5
172	99	2 Sarries-5 yds.	4.572 M.	4.575 M.
		36 broad	0.914 M.	0.915 M.
		38" long	0.965 "	0.970 "
		32" circum- frence.	0.813 M.	0.815 M.
		54" "	2.134 "	2.140 "
		54" "	1.372 "	1.375 M.
		9" "	0.229 "	0.230 "
172	99	Kurtas 34"	0.864 "	0.870 M.
173		1 Towel 126"	0.660 "	0.660 "
		1 Chadar 7'x3'	2.134x0.914	2.135x0.920
		1 Safa 6'x3'	0.152x0.914	0.150x0.920
		(c) 3rd Line		
		30 ,, Long	0.762	0.760
173	101	Sleeping mat 2'x6'	0.610x1.829	0.500x1.830
174	105	2nd Line $\frac{1}{4}$ "	19.050 M. M.	19.050 M.M.
		4th Line 2"	50.600 "	50.800 "
		7th line $\frac{1}{4}$ "	19.050 "	19.050 "
174	106	2nd line $\frac{1}{4}$ "	19.050 "	19.050 "
		1st line 6"	152.400 "	152.400 "
		4th line $\frac{1}{4}$ "	19.050 "	19.050 "
176	113	5th line		
		length 1- 3'	76.200"	76.200"
		Thickness	12.700	12.700
183	8	Task Board 2'x1'	0.610x0.305 M.	0.610x0.305
190	47	Note:-2nd line		
		one Oz. soap.	28 Gr.	30 Gr.
196	74	berth 6 $\frac{1}{2}$ feet	1.981	1.990 M.M.
		2 $\frac{1}{4}$ feet	0.686 "	0.690 "
		20 to 24 high		
		6" high	0.152 "	0.155 "

1	2	3	4	5
197 77	Lights (a) 2nd line eight or feet		2.438 or 2.743M.	2.440 or 2.750
201 96	Safa of 120 yd.	109.799 M.		109.730 M.
200 112	Kirpan-1-inch.	25.400 M.M.		25.400 M.M.
211 120	Male Prisoners = $\frac{1}{4}$ oz	21 Gr.		25 Gr.
	Female = $1\frac{1}{2}$ Oz.	42 Gr.		42 Gr.
211 124	2nd line 3 lbs.			
	3rd line 71 lbs.	1.361 Kg.		1.370 Kg.
212 127	Tenth line one inch	.025 M.M.		.025 M.M.
213 127	Note (4)			
	$\frac{1}{8}$ Chh m. oil	7 Gr.		10 Gr.
	$\frac{1}{2}$ Chh. Country Soap	29 Gr.		30 Gr.
218 5	Convicts below 100 lbs.	45.36 Kg.		45.40 Kg.
	(d) $\frac{1}{12}$ th Chh.	5 Gr.		5 Gr.
225 33	Dyeing Industry			
	=Than of 24 Yd.	21.95 M.		21.95 M.
	=Paya of 4 lb.	1.81 Kg.		1.90 Kg.
	=Paya of 80 lb.	36.29 Kg.		36.30 Kg.
	=Paya of 160 lbs.	72.58		72.60 Kg.
	=Than of 24 yd.	21.95 M.		21.95 M.
	Dyeing brentols			
	50 lbs. Yarn	22.68 Kg.		22.70 Kg.
250 55	Teal/8 Chh.	7 Gr.		10 Gr.
	Milk2 Chh.	116 Gr.		120 Gr.
	Suar $\frac{1}{4}$ Chh.	14 Gr.		14 Gr.
	Wheatflour $1\frac{1}{2}$ Chh.	87 Gr.		90 Gr.
	Ghee 1 Chh.	58 Gr.		60 Gr.
	or			
	bread loaf 2 Chh.	116 Gr.		120 Gr.
	butter $\frac{1}{2}$ Chh.	14 Gr.		15 Gr.
	gruel 8 Chh.	66 Gr.		470 Gr.

1	2	3	4	5
Midday Meal				
		Wheat flour 8½ Chh.	495 Gr.	495 Gr.
		Clean rice 10 Chh.	583 Gr.	590 Gr.
		Wheat flour 5 Chh.	291 „	290 „
		„ 4 Chh.	233 „	225 „
		„ 7 Chh.	408 „	410 „
		Meat with		
		Bones 8½ Chh.	465 „	470 „
		Bread 10 Chh.	583 „	590 „
		Rice 7 Chh.	408 „	410 „
		Root Veget. 4 Chh.	291 „	290 „
		Other veget. 4 Chh.	291 „	290 „
		Dal 3 Chh.	175 „	175 „
		or		
		1 Chh.	58 „	60 „
		Ghee ½ Chh.	29 „	30 „
		Sweet Oil ½ Chh.	29 „	30 „
		Salt ½ Chh.	29 „	30 „
250	55	Sugar ¼ Chh.	14 „	15 „
		Milk 2 Chh.	116 „	120 „
		Condiments ½ Chh.	29 „	30 „
		Amchur 1/8 Chh.	7 „	7 „
		Chatni 1/8 Chh.	7 „	7 „
		Lime juice ½ Chh.	29 „	32 „
		Fire-wood 12	690 „	690 „
251		Note 1.		
		8 Chh. Meat		
		Special diet		
		Wheat Atta 1 Chh.	58 „	60 „
		Sugar 1 Chh.	58 „	60 „
		Ghee ½ Chh.	29 „	30 „
		Fuel 4 Chh.	233 „	225 „
252	60	Summer Scale		
		Durrie 6' × 3'	83 × 0.91 M.	180 × 0.90
		Tatpatti 6' × 3'	1.83 × 0.91 M.	180 × 0.90

1	2	3	4	5
254	63	Sajji 4 Chh.	233 Gr.	225 Gr.
		Country soap 2 Chh.	116 „	120 „
325	34	Last Line		
		4" Long	0.10 M.	0.10 M.
		2" Borad	0.05 „	0.05 „
		$\frac{1}{2}$ " Thick	1.01 „	1.01 „
350	116	(i) 2nd line 5 miles	8.05 K. M.	8.05 K.M.
		(ii) First line 5 miles	8.05 K. M.	8.05 K.M.
		(i) (b) 20 miles	32.19 „	32.10 „
		(ii) 20 miles	32.19 „	32.10 „
351	(a)	2nd line		
		(i) 5 miles	8.05 „	8.05 „
		(ii) 5 miles	8.05 „	24.15 „
		15 miles	24.14 K. M.	24.15 K. M.
	(b)	(i) 20 miles	32.19 „	32.30 „
		(ii) 20 miles	32.19 „	32.20 „
351	117	5 miles	8.05 „	8.05 „
392	270	98 lb. 6 $\frac{1}{2}$ feet	1.98 M	2.00 M
		126 lb. 6 feet	1.83 „	1.80 „
		154 lb. 5 $\frac{1}{2}$ feet	1.67 „	1.70 „
		154 lb. 5 feet	1.52 „	1.50 „
395	284	3rd line		
		5 feet 97 lbs.	1.52 M. 44 Kg.	1.50 M.45Kg.
396	287	1st line		
		6 lbs.	910 Gr.	910 Gr.
397	290	5th line		
		1/8 Chh.	7 „	7 „
397	292	3rd line		
		2 Chh. of meat	116 „	120 „
402	315	7th line		
		2 Chh. meat	116 Gr.	120 Gr.
		8th line		
		One Chh. Dal	58 Gr.	60 Gr.

1	2	3	4	5
(i) Early morning meal				
Milk	4 Chh.	225 Gr.	225 Gr.	
Gur	1 Chh.	58 Gr.	60 Gr.	
Milk	4 Oz.	115 Gr.	115 Gr.	
Fruit	4 Chh.	233 Gr.	225 Gr.	
For Vegetarians				
Milk	8 Chh.	466 Gr.	470 Gr.	
Gur	2 Chh.	116 Gr.	120 Gr.	
Mid day meal				
Meat	4 Chh.	223 Gr.	225 Gr.	
Gur	1 Chh.	53 Gr.	60 Gr.	
Vegetarian				
Dahi	4 Chh.	233 Gr.	225 Gr.	
Ghee	2 Chh.	116 Gr.	120 Gr.	
Evening meal				
Non-Veget.				
Dahi	4 Chh.	233 Gr.	225 Gr.	
Gur	1 Chh.	58 Gr.	60 Gr.	
Veget	4 Chh.	233 Gr.	225 Gr.	
Vegetarians				
Milk	8 Chh.	466 Gr.	470 Gr.	
Gur	2 Chh.	116 Gr.	120 Gr.	
403 Note	5-112 lbs.	50.81 K.	50.80 Lbs.	
415	Last Para 12 th line			
	8 Oz.	230 Gr.	230 Gr.	
416 (ii)	2nd line			
	One inch			
(e)	$\frac{1}{2}$ Oz.	15 Gr.	15 Gr.	
	2 Oz.	60 Gr.	60 Gr.	

1	2	3	4	5
416 (iv)	Water 3 gallons	13.64 litres	13.65 litres	
	Hard soap $\frac{1}{2}$ lb.	225 Gr.	225 Gr.	
	Water 1 gallon	4.55 litres	4.55 litres	
	Kerosene oil 2 gallon	9.09 litres	9.10 litres	
417	2 4th line 5th 6th			
	2 lbs.	910 Gr.	910 Gr.	
	$1\frac{1}{4}$ lb.	570 Gr.	570 Gr.	
	1 lb.	455 Gr.	455 Gr.	
418	4 (a) 3rd line			
	3 lbs.	1.36 Kg.	1.40 Kg.	
	2 feet.	0.61 M.	0.60 M.	
	(b) 3rd line			
	5 lbs.	2.27 Kg.	2.30 Kg.	
	20 Inches	0.51 M.	0.50 M.	
	(c) 3rd line			
	$2\frac{1}{2}$ lbs.	1.14 Kg.	1.15 Kg.	
	16 inches	0.41 M.	0.40 M.	
	5 feet. 6 inches	1.67 M.	1.70 M.	
	14 feet. 6 inches	0.36 M.	0.40 M.	
419 Note	1st line			
	One Mile	1.61 Km.	1.60 Km.	

APPENDIX 'M'

Questionnaire

(Issued by the Commission)

1. Should punishment be retributive or reformative ?

2. Is it the responsibility of the State to rehabilitate the discharged prisoners or of non official agencies ?

3. Do you believe in Capital punishment, if not what should be the alternative ?

4. What should be the nomenclature of prisoners ? Suggest a good name for "JAIL"

5. What is your opinion about the present prison administration of Rajasthan ? Explain the defects, if any ? Do you think that prisons in Rajasthan are responsible for increase in Crime in the State ?

6. Do you think that non official visitors should be attached to prisons ? What should be the type of non official visitors and how should they be selected ? What should be the nature of their responsibilities and duties ?

7. Are you aware of any steps taken in your State for the rehabilitation of discharged prisoners ? Can you suggest some ways and means for their rehabilitation ?

8. Have industries in prisons helped in their rehabilitation ? Are prison industries

useful as professions after discharge ? Can you suggest some more profitable industries for prisons ?

9. Should Prison Industries be run on Commercial Lines ? Should they be treated as Commercial undertakings ? Should prisoners be paid wages ? If so, what should be the rate of their wages and should they be made to pay for their maintenance out of their wages ?

10. Is Juvenile delinquency a problem in the State ? What are the causes for the same ?

11. Do you think that Police is responsible for increasing prison population and making good citizens criminals by careless or useless arrests ?

12. What facilities do you suggest for female prisoners ? Should they also be given industrial training ?

13. What should be the system of interviews for the prisoners ?

14. Do you think that local magistracy be more closely associated with Prison Administration ?

15. Kindly give your general views regarding Prevention of Crime and Treatment of Offenders vis-a-vis Prisons in Rajasthan. Also, please give your opinion on Probation, Parole, Open Camps and other modern systems of treatment you want to be introduced in Prisons. Do you think that Psychiatry and Psychology can help in diagnosing individual treatment of offenders ?

16. Are you satisfied that the existing statutory provisions and rules give sufficient authority to the Prison Officers, to implement various measures or reforms adopted by the Government, from time to time ?

17. Are the Rules and Provisions sufficient for properly and efficiently administering the Jail simultaneously with reforming the inmates ?

18. If you have proposed any additional reforms, will you please state the additional legal provisions, which in your opinion shall have to be made for carrying out such reforms ?

19. Can you suggest any legal provision which can vest with the executive with the powers of adopting reforms proposed by specialist as an experimental measure on a section of the prison population without need of reference to the Legislature ?

20. Do you think the rules for Parole should be liberalised ?

21. Will it be advisable to have different Parole rules for prisoners belonging to different classes, such classification depending upon the nature of the offence for which the prisoner is convicted, the age of the prisoner and the fact whether, he is first offender or habitual ?

22. What should be the basis of classification of Jails ?

(i) Population (ii) Accommodation (iii) the nature of offence of which inmates have been convicted (iv) the number of time the inmates have been convicted (v) the age and sex (vi) the

nature of reforms to which he is subjected (vii) all together or in combination.

23. Is there a case for reducing; the number of Jails and Sub-Jails ?

24. How much constructed accommodation should be provided for inmate in Cubic ft ?

25. What should be the over all attitude of the Jail Officials in the matter of making the convicts undergo the punishment imposed by the Court - whether the inmates should be made to feel that they have to undergo punishment for their errors or they should be made to feel that they have to cooperate in reforming themselves ?

26. Is there any justification in the belief held by some people, that the existing amenities in our prisons are greater than those available to a big percentage of our law abiding citizens ?

27. To the standard of living of which class of the people, should the standard of amenities for an ordinary class prisoner in the Jail be equated - should it be lower than that of the poor classes of our Society ?

28. Does your experience indicate the need for addition or deletion in the list of Jail offences ?

29. Have you any views to express on restraint and punishment of prisoners for Jail offences ?

30. What are the causes of low profits in Jail Industries ?

31. Can you suggest ways and means of making these industries self supporting simultaneously with providing training facilities to the inmates ?

32. Do you think a substantial number of prisoners released from prisons adopt the profession for which they are trained in the Jails. If not, what measures should be adopted for enabling them to benefit by this training ?

33. Is there any need for revising, the list of Jail Industries and is the present list unrealistic ?

34. Is there sufficient co-ordination between the Police and Jail Officials and what is the manner, in which, the Police can help in following up the programme of reforming and rehabilitating the prisoners, initiated in the Jails ?

35. Don't you think the Police need to be taken into greater confidence in the matter of the present reformatory trends ?

36. Is it possible to arouse active reasonable sympathies of the Police in the welfare of erstwhile criminals by associating Police Officers actively with after care homes and rehabilitation measures.

37. Is an awareness of treating alleged criminals as sufferers from mental aberration disclosed in the approach of Courts as expressed in the Judgment ?

38. Don't you think presiding officers can be got interested in the Welfare of erstwhile

criminals by actively associating them with prison administration after care homes and the work of rehabilitation ?

39. What reformed prisoners view with sympathy and without suspicion any proposal of their helping the Police in detecting and preventing crimes ?

40. What practicable measures can be adopted for separating habituals from casuals among undertrials ? Or would you say such separation is not necessary ?

41. Are the Courts by and large liberal or strict in granting bails ?

42. Has the attitude of the Courts in the matter of grant of bail any effect upon incidence of crime ?

43. Do you think the existing authority with Jail Officials is sufficient to help needy inmates legally in getting release on bail ?

44. Are some Jails frequently over populated ? If so, would you suggest that the incharge Jail should not accept more prisoners than the prescribed number for the Jail ?

45. Is it advisable and useful to continue the system of convict overseers and Warders- or will it be better to replace the present system partially, or wholly by elected panchayats of prison inmates ?

46. Will it be advisable from the point of view of reform of prisoners and the over all

interest of the society, to employ them as labourers in the constructions of Rajasthan Canal ?
If so, what your opinion should be ?

- (i) Criteria for selection of prisoners for this work ?
- (ii) The nature of the work which should be entrusted to them ?
- (iii) The prosecutions if any which should be taken for preventing escapes ? and
- (iv) The amenities and terms of employment which should be made available ?

47. Do you think it advisable to mechanise Jail Industries ? If so, what should be the nature of mechanisation and which industries would be selected for this purpose ?

48. Do you think after care and rehabilitation services for prisoners can be looked after better by the Jail Department than by the Social Welfare Department ?

49. Kindly state views on the rules and procedure of recruitment, promotion and training of Jail Staff ?

50. Considering the type of persons who constitute the greater part of the Jail population—Do you think Psychologists and psychiatrist should necessarily be provided in all important Jails of Rajasthan ?

51. Do you think the expenditure on psychologist and psychiatrist would be commensurate with the benefit which will accrue from their employment ?

52. Do you think in the present economic condition of society and the State undertaking

of expenditure on psychologists and psychiatrist deserves high priority and is advisable ?

53. What has been the effect of reform measures so far implemented by the Government on the inmates and what is the re-action of the society to these reforms ?

54. What are your views on classification of prisoners, system of remission literacy of prisoners, Jail purchases and adequacy of existing staff ?

55. Can you suggest any measures of economy in the Jail Department ?

Absolute confidence was assured to all those who wanted to communicate with the Commission in writing ? Correspondents were free to frame their own questions if they felt the questionnaire was not comprehensive enough to cover all they wanted to say on the subject ?

नमो भगवते वासुदेवाय

CHAPTER XIX

DRAFT JAIL MANUAL

Proposed recommen- dation. 1.	Existing provision in Rajasthan Jail Manual. 2.	Proposed amended provision. 3.	Remarks. 4.
CHAPTER I <i>Prison and Prisoners</i>	Nil	The question does not arise, as in this chapter only a case for Penal & Prison Reform has been made out.	As this does not affect the Jail Manual in any way, the question of revision on this account does not arise.
CHAPTER II <i>Jails in Rajasthan</i>			
<i>Para 4, Page 13.</i>			
The Asstt. Inspector General of Prisons rarely moves out. He should move more frequently and the Office Superintendent should officiate for this officer.	<i>Rule 22. Page 52.</i> <i>Section II.</i> THE DEPUTY INSPECTOR GENERAL OF PRISONS. Duties of D. I. G.-The following are the duties of Deputy Inspector General of Prisons:— (i) In the absence of the Inspector General from Jaipur, he shall in all emergent cases, ex-	Read Rule 22, Page 52 as 22(a) and 22(b). Amend 22(a)(iii) & add 22(b) as follows:— 22 (a) (iii) He shall be responsible for the inspection of all the jail institutions, and shall inspect every institution at least once a year or hold a departmental enquiry into any matter	Since there is no post of D. I. G. Prisons at present, hence in order to make the rules effective in view of the proposed recommendations of Rajasthan Jail-Reforms Commission, this sub-para and addendum to Rule 22 (iii) have been proposed.

1.	2.	3.	4.
	<p>rise all or any of the powers of the I.G. as directed from time to time.</p>	<p>or untoward happenings in any of the jail institutions, under the guidance of the I. G. Prisons. 22. (b) All the rules and duties relating to the D. I. G. Prisons shall apply mutatis mutandis to Assistant Inspector General of Prisons.</p>	
	<p>(ii) He shall be responsible for the efficient and prompt working of the office of the Inspector General.</p>		
	<p>(iii) He shall, under the orders of the Inspector General, inspect any jail institution, or hold a departmental enquiry or any enquiry into any untoward happenings in any of the jail institutions.</p>		

1.	2.	3.	4.
<p><i>Para 6, Page 13.</i> All Incharges of jails, of all classes, should be designated as 'Superintendent' which is the legal title given in the Jail Manual.</p>	<p><i>Rule 211. Page 377.</i> Section IX. Officer and subordinate staff in lock-ups-The immediate charge of the Lock-ups will be under an Assis. tant Jailor. He will be assisted by two head warders and 8 warders in the case of first class, one Head Warder and 6 Warders in the case of second class, and one Head Warder and 4 Warders in the case of third class lock-ups. These warders and head-warders will obey the orders of the Asstt. Jailor, who will work under the Magisterial</p>	<p>The following may be added at the end of the rule 201, page 377, "All Officers I/C. of Lock-ups or special Sub-Jails shall be designated as Superintendents".</p>	<p>This is in keeping with the proposed recommendation of the Rajas- than Jail R e f o r m s Commission.</p>
<p><i>Rule 201. Page 277</i> Section IX After the word "Magis- terial Officers", delete the words-"who is over all Incharge of the Lock-up" and add the following :- "Or any one who is holding charge of the Jail or Lock-up or Special Sub-Jails"</p>			

1.	2.	3.	4.
	<p>Officer, who is over all incharge of the lock-up and obtain orders where necessary in its day to day administration.</p>		<p>There being no separate rules for the management and administration of such institution, this is necessary.</p>
<p><i>Para 7, Page 13.</i> The Juvenile and Female Reformatories should be organised in different institutions, not attached with any Jails and both should be reorganised.</p>	<p>Section X --Female Prisoners death with at page 386 of the Rajasthan Jail Manual. Nil for Juvenile Prisoners.</p>	<p>There shall be separate chapters for Females and Juveniles as enclosed herewith vide Annexure A & B. These shall be inserted in the Rajasthan Jail Manual at places where Female prisoners are dealt with, and the Juvenile Reformatory will come just after it. Female Reformatory shall replace "Section X" Female Prisoners at page 386 of the Rajasthan Jail</p>	

1.	2.	3.	4.
		Manual, and Juvenile Reformatory will come just after it as Section XI and subsequent sections will be re-numbered.	The existing rules shall be materially effected, in view of the proposed recommendations, as per draft ammended enclosed.

Para 8, Page 13. To Section III-Jail Buildings There shall be a separate Section III Jail Buildings on Jail Buildings Pages 39 to 42. Buildings as per Annexure "C".

To maintain jail buildings properly, there should be separate buildings, Department for the Jail under a qualified Engineer, to be taken on loan from P. W. D. At present Jail buildings are suffering due to lack of interest and delays caused by P. W. D.

1.	2.	3.	4.
<p><i>Para 13, Page 13.</i> Where no family quarters are provided to Assistant Jailors, they should be given house rent.</p>	<p><i>Rule 323 Page 121.</i> All subordinate officers to reside in jail quarters. Every subordinate officer, for whom quarters are provided by Govt., shall live in those quarters, and those for whom no quarters are provided shall live within such distance of the Jail as may be fixed by the Superintendent, except in the case of Medical Officers holding dual appointments. Quarters on the jail premises shall be provided for Jailors and Assistant Jailors, Medical Officers (not hold-</p>	<p>The following may be added at the end of Rule 323 :- "Where no family quarters are provided to Assistant Jailors, they should be given house rent according to the existing rules admissible to a Govt. servant."</p>	<p>The addendum is necessary for implementation of the proposed recommendation of the Commission.</p>

ing dual appointments), Compounders and the warders establishment; and for such other officers as the Inspector General may deem necessary.

Para 16, Page 14. The uniform of warders should be changed. It should be more soldier like better boots, hoses, cap etc.

Rule 254. Page 102. Uniform to warders. Every warder shall be provided with uniform in accordance with the scale laid down by the Government of Rajasthan. He shall, at all times, whilst on duty, be properly and cleanly dressed in his uniform and shall wear his belt and carry a batton.

The existing provision is only for warders, wherein also no scale has been given. The Asstt. Jailor, Deputy Jailor, Jailor Dy. Supdt. & Superintendent Jail should also be in proper uniform. The scale of uniform for Jail staff is laid down in the enclosed chapter vide Annexure "D".

This is very necessary as it has not been dealt with in details in the present Jail Manual, there is a separate section on uniform in the Jail Manual of the U.P. and other states.

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Para 17, Page 14. The Deputy Jailors, and Jailors should get Rs. 25/- P. M. as Uniform allowance and they should be always in Uniform on duty. The Deputy Superintendent and Superintendent should not get any allowance for uniform but they should be in uniform on all ceremonial occasions.

Para 19, Page 14. Jails should be called 'Sudhar Griha' and inmates should be called 'Sathi'.



NIL

The Nomenclature of 'Prison' and 'Prisoner' is given in the Jail Manual, as defined in the Prisoners Act of 1894. This needs no change in the Act and

NIL

1.	2.	3.	4.
CHAPTER III	<i>Rule 36 to 43, Page 244 to 248.</i>	the Manual, but only a notification from the Govt. For purposes of writing, please write in the beginning that the Hindi translation of the word 'Prison', 'Prisoner' and 'barrack' shall be "Sudhar Griha" "Saathi" and "Kaksh" respectively. This shall be added as Addendum in the beginning of Rajasthan Jail Manual just after Index.	As per recommendations of the Rajasthan Jail Reforms Commission,
<i>Model Jail</i>	Rajasthan Jail Manual.		
Selection of Star Class Prisoners—As given in the Chapter.			

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"The Classification Board for classification for Star Class Prisoners at Model Jail, Ajmer shall consist of the following :—

1. Psychiatrist } if available;
 2. Psychologist, } & available;
 3. Welfare Officer;
 4. Head of the local Jail;
 5. Vocational Counseller;
 6. Educational Counseller;
 7. Medical Officer;
 8. Social Case Worker.
- Add the following after the word "Classification" at the end of first sentence of Para 36 (b):-

1.	2.	3.	4.
		<p>Crime shall be no criteria for classification as "Star Class", and delete the subsequent matter beginning with "the following classes....." Page 244 to rule 39, Page 247 ending with the words "Star Class Prisoners only"</p> <p>The subsequent rules shall be renumbered accordingly.</p>	
<p>CHAPTER VI <i>Open Camps.</i> Selection of inmates, features of the camp etc. etc.</p>	NIL.		<p>As per recommendation of the Rajasthan Jail Reforms Commission.</p>

1.	2.	3.	4.
<p>CHAPTER VII <i>Rehabilitation.</i> <i>Recommendations Para 2</i> Cellular confinement should be very sparingly given when separation or observation is necessary. As a means of punishment, it should be used in only most difficult cases, and for a maximum of 72 hours only.</p>	<p><i>Rule 5 (1) (vii) Page 5.</i> Cellular confinement for not more than 7 days. <i>Rule 5 (2) (iii), Page 6.</i> Cellular confinement for a period exceeding seven days. <i>Rule 17, Page 9.</i> Punishment of cellular confinement. - Cellular confinement may be awarded for not more than 14 days, and after each period of cellular confinement an interval of not less duration than such period shall elapse before the prisoner is again sentenced to other cellular or solitary</p>	<p><i>Section II-Open Camp</i> As per Annexure 'E', (1) Sub - Rule (vii) of Rule 5, (1) Page 5 will be deleted and subsequent sub rules will be renumbered. (2) Sub - Rule (iii) of Rule 5 (2), page 6 will be read as follows :-- "Cellular confinement for a period not more than 72 hours." (3) In Rule 17, Page 9 of the Rajasthan Jail Manual read "14 days" as "72 hours"</p>	<p>The proposed maximum period of 72 hrs, is proposed as per recommendation of the Jail Reforms Commission.</p>

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confinement. The convict-cell attendants shall have access to his cell to give the prisoner his food and attend the conservancy, but the prisoner shall have his meals alone, and bath in his cell yard.

Recommendations Para 6.
Parole or Ticket-on-leave Rules are very helpful in rehabilitation.

NIL

There are separate rules for parole which are not given in Rajasthan Jail Manual. In these rules procedure requires change. The District Magistrate should not reject or should not forward the application for Parole to the Government, but it must be routed through

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the Inspector General of Prisons to the Govt., and form I should be amended accordingly. There being no Ticket-on-Leave Rules in Rajasthan Jail Manual, the same have been drafted, which are at Annexure 'F'.

The following may be added as Section v, vi & vii after existing section iv and subsequent section be re-numbered accordingly:-
Section V—*Release on Parole*

The release of prisoners on Parole shall be governed by the Rajas-

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than Prisoners Release on Parole Rules, 1958 already sanctioned by the Government, with the amendment to the effect that the District Magistrate shall not reject or forward the application for Parole direct to the Government, but it must be forwarded by the District Magistrate to the Inspector General of Prisons, Rajasthan for submission to the Government, with his remarks. Form I shall also be amended accordingly.

नमो भगवते वासुदेवाय

1.	2.	3.	4.
<p><i>Recommendation</i> Para 10. The caloric value of diet for 'C' Class labouring and non-labouring prisoners</p>	<p>Page 152-53. Rule 21.</p>	<p>Section vi—<i>Leave on Ticket Rules.</i></p> <p>The release of prisoners on Leave on Ticket Rules shall be governed by the Leave on Ticket Rules as sanctioned by the Government.</p> <p>Section vii—<i>Release on Probation.</i></p> <p>The release of prisoners on probation shall be governed by the Probation Rules as sanctioned by the Government.</p>	<p>The general scales will require to be amended when approved by the Government.</p>

1.	2.	3.	4.
<p>should be increased from 2,400 to 3,000 for the former and 2,000 to 2,500 for the latter. The suggestion of Medical Officer, Jail Department in this respect should be accepted.</p>	<p><i>Recommendation Para 12.</i> There should be no corporal punishment in any form or shape.</p>	<p>Rajasthan Jail Manual will have to be amended according to the proposed recommendation.</p>	<p>The Government of Rajasthan have maintained this punishment, as Jail punishment in serious cases and in restricted manner.</p>
<p><i>Rule 5 (2) (x), Page 6.</i> Whipping.</p> <p><i>Rule 18, Page 9.</i> Offences for which whipping may be awarded as jail-punishment.- The punishment of whipping shall be inflicted only for mutiny or for incitement thereto or for other jail offences involving serious phy-</p>	<p>The punishment of whipping has been deleted as a court punishment, but it has been maintained as a Jail punishment with the approval of the Government, so the following words may be added at the end of this para, after changing the "at the end into" except</p>	481	

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sical violence. Persistent disobedience of rules may amount to mutiny.

whipping for major jail offences with the approval of the Government.

In the end of Para 18, Page 9 of the Rajasthan Jail Manual add:—

“The Government should issue orders for such punishments as sparingly as possible and in only extreme cases”.

Recommendations Para 14, Greater privacy & facility to interview relations and friends be permitted. One interview of 30 minutes duration and two letters should be permitted each week on any day in the week. Page 299, Rule 31, Sec. II. Ordinary letters and interviews.—In addition to the privileges referred to in the preceding rules, every convict shall be allowed to have

As per recommendation of the Commission. two letters per week shall be allowed to all classes of prisoners on all days of the week in place of “every convict..... two

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This shall bring closer contact with family and friends. This rule relates to closed institutions only.

an interview with his relatives or friends and to write and receive a letter once in two months during his term of imprisonment, provided that the exercise of this privilege shall be subject to good conduct and may be withdrawn or postponed by the Superintendent, if the convict has been guilty of a serious breach of discipline.

Note I:- A letter merely arranging an interview shall not be accounted as a letter for the purposes of this rule.



1.	2.	3.	4.
<p><i>Recommendation Para 16.</i> The responsibility of rehabilitation is to be shared by the State and non-official agencies, both. There should be a Prison Advisory Council with the Home Minister as President. This shall be the final appointing authority for non-official visitors, and disposal of leave, parole and probation applications. There</p>	<p>interviews shall be posted outside the jail. Ordinarily, interviews should take place on Sundays between 7 and 11 A. M.</p> <p><i>Rule 3 (a). Page 305.</i> Non-official visitors, power of the Government of Rajasthan to appoint.—The Government of Rajasthan may appoint for all prisons in the State non-official visitors. Their number shall ordinarily be six for each central prison, three for each District Prison and two for each lock-up Jail.</p> <p>These appointments shall ordinarily, be made on the reco-</p>	<p>Read—"There shall be a Prison Advisory Council with the Home Minister as president. This shall be the final appointing authority for non-official visitors, and disposal of leave, parole and probation applications. There should be a district Discharged Prisoners Society in each District and non-official visitors should be selected from such societies, if they</p>	<p>As per recommendations of the Rajasthan Jail Reforms Commission, According to these recommendations amendments will be made in the Rajasthan Prisoners Release on Parole Rules, 1958.</p>

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should be a district discharged prisoners society in each District and non-official visitors should be selected from such societies. Non-official agencies should run After Care Homes, Shelter Homes, Guidance Clinics etc., and they should provide all facilities to the discharged prisoners.

recommendations of the commissioner of the Division in which the jail or lock-up is situated.

exist. Non-official agencies should run After Care Homes, Shelter Homes, Guidance Clinics etc., and they should provide all facilities to the discharged prisoners", in place of "The Government of Rajasthan may appoint for all prisons in the State non-official visitors. Their number shall ordinarily be six for each central prison, three for each district prison and two for each lock-up jail. These appointments shall ordinarily be made on the recommendations of the Commissioner of the Division in which the jail or lock-up is situated.



1.	2.	3.	4.
<p><i>Recommendation</i> :— in Chapter VII regarding “Rehabilitation” — “The classification of prisoners done by courts is generally not helpful in rehabilitation. Jails shall have to adopt their own system of classification. The system has been laid down in the chapter. Treatment should begin after classification and there should be reception centre at each Central Jail in the State.</p>	<p>3. Admission to special class; who are authorised.—The trying court may admit to the special class an under-trial prisoner who, in its opinion, has by social status, education or habit of life been accustomed to a superior mode of living. Unless otherwise directed by the Government or the Distt. Magistrate, the jail authorities shall observe the aforesaid classification.</p>	<p>In Rule 3, Page 236 of the Rajasthan Jail Manual add the following as Rule 3 (a) and read the existing rule 3 as 3 (b) :—</p>	<p>As per recommendations of the Rajasthan Jail Reforms Commission.</p>
		<p>“Wherever a Reception Centre is attached to a Jail, it shall classify an under-trial as special class, if in its opinion, the under-trial, has by social status, education or habit of life been accustomed to a superior mode of living. The Reception Centre shall consist of the head of the local jail, a psychologist, an vocational counsellor and educational counsellor,</p>	

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a social case worker, a probation officer and a medical officer. In case such a Reception Centre is not available the classification will be done by the trying court, the District Magistrate or by the Government as mentioned in the following para".

Rule 4, Page 236 of Add the following in Rajasthan Jail Manual. in Rule 4 (a), page 236 of the Rajasthan Jail Manual before- "The Sessions Judges Additional Sessions Judges and District Magistrates Judge.....before them." may, in accordance with rules 6 and 7, make "Wherever a Reception Centre is attached to a recommendation to

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the Government for jail, it shall classify a convict as 'A' Class or 'B' Class in accordance with Rule 6 otherwise."

prisoner, including a prisoner who has been required to execute a bond to keep the peace or to be of good behaviour who is an accused either in an original case or in an appeal or in a revision before them.

(b) Other Magistrates may make such a recommendation through the District Magistrate, who shall forward it to the Government with his opinion,

(c) The District Magistrate, may make a recommendation in any case when a Magistrate subordinate to him has not done so, if he considers that a recommendation should be made.

CHAPTER IX

Jail Industries

Recommendation-Para 2.

There should be identical work for both convicts and undertrials. Prospects of better opportunities in life and even wage scheme shall be sufficient allurements to draw undertrials to work

Page 224-225. Rule 31.

Convicts sentenced to rigorous imprisonment and other classes of prisoners who volunteer to labour shall be entitled to the following wage-earning scheme:-

(a) Convicts sentenced to rigorous imprisonment, who over & above their allotted

Substitute the following for Rule 31 (a) & (b)

page 224-225 of Rajasthan Jail Manual:-

(a) Convicts sentenced to rigorous imprisonment be paid Re. 1.00 for skilled and. 75 P. for unskilled labour for full task as per schedule. The clothing and diet charges shall be

Keeping in view the proposed recommendations of the Commission.

1.	2.	3.	4.
<p>who would otherwise languish. As the Inspector General suggests they can work on vegetable gardening, agriculture, rope-making basket making and cane work and be paid full wages at the rate of .75 P. Biri making can be another industry fit for both underterials and short-termers.</p>	<p>task manufacture--25%-- One anna per day, 50%-- two annas per day, 75%--three annas per day, 100%--four annas per day, and proportionately for the extra tasks that fall in between.</p> <p>(b) Other classes of prisoners who volunteer to labour--25% of the hard task--One anna per day,</p>	<p>deducted from the wage amount.</p> <p>(b) Other classes of prisoners who volunteer to labour shall be paid full wages at the rate of .75 P.</p>	<p>50% of the hard task-- two annas per day, 75% of the hard task-- three annas per day. Full hard task--four annas per day.</p>

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Recommendations Para
4. For carefully selected inmates, the responsibilities of work and training in semi-open and open institutions, nation building institution etc., should be fully employed for purposes of diversification of training and work.

Page 183, Rule 6.
Convicts to be on works of public utility.- The Government of Rajasthan & the District Magistrate may by general or special order, direct that prisoners may be employed on any work of public utility, outside jail premises. In case prisoners are employed at long distance from the jail, accommodation should be provided for their safe custody on the spot. During such employment, care shall be taken that prisoners are protected from sun and rain.

The following may be added as para(d) under Rule 11 Para 220 of Rajasthan Jail Manual:-
(d) Selected inmates will be sent for work and training in semi-open and open institutions, nation building institutions, where they shall be fully employed for purposes of diversification of training and work.

The details as given in the proposed recommendation are required to be incorporated under rule 11 (c) page 220 of the Rajasthan Jail Manual.

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Page 220 Rule 11. How

jail labour may be utilized. Jail labour may be utilized:-

- (a) for the preparation of building materials within the jail premises;
- (b) for the construction of large works under the public Works Department, such works being either within the Jail premises or so close to them as to render the provision of separate accommodation for the prisoners unnecessary;
- (c) for the execution of any work of public utility outside jail premises.

1.	2.	3.	4.
<p><i>Recommendation Para 11.</i> Industrial concerns, particularly at Jaipur, Beawar; B h i l w a r a, Udaipur and Kota are</p>	<p><i>Page 220 Rule 12.</i> Hiring out of convict labour.—Hiring out of the labour of convicts to private persons, contractors or firms shall not ordinarily be allowed. The hiring out of labour to a Government Department such as the Govt. Press or the Public Works Deptt. shall only be permitted with the previous sanction of the Inspector General.</p>	<p>The following may be added as Para (d) under Rule 14, Page 221 of the Rajasthan Jail Manual :—</p>	<p>There being no provision is the Rajasthan Jail Manual, this addition is necessary.</p>

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in constant need of in all forms of skilled (d) Industrial concerns, trained workers. The labour in order to repl- particularly at Jaipur, textile mills of Bhilwara, ace artisan convicts on Beawar, Bhilwara, Udaipur and Udaipur release. The propor- pur and Kota are in tion of such convicts constant need of trained cerns are willing to shall not be less than workers. The textile accept ex-convicts. 20% in each depart- mills of Bhilwara, Beawar and Udaipur and This opportunity should ment of the factory. some Jaipur concerns be utilized. Trust- (b) In central prisons are willing to accept worthy convicts should and first class district ex-convicts. This opp- be concentrated in jails of such convicts shall ortunity should be nearest to such factor- be trained as are well utilized Trust worthy, ies and allowed to be conducted and are elig- convicts should be receive training offered. ble for transfer to sma- nner jails on the termi- nearest to such facto- ries and allowed to receive training offered

(c) When an artisan convict is transferred the Director of Jail

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Industries or Factory
Manager or Asstt Factory

Manager, or Deputy
Supdt. or circle officer

or Jailor, as the case

may be, of the transfe-
rring jail shall certify

on the history-ticket

of the convict transfer-

red that he is thoro-

ughly conversant with

the work for which he

is being transferred.

Such convicts shall not
ordinarily be transferred

to the jail in the distri-

cts of their residence

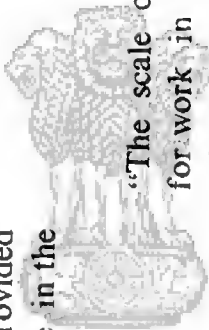
and care shall be taken

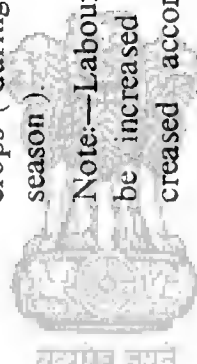
that convicts imprisoned

in the same case are

not sent to one and the

same jail.

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CHAPTER X <i>Agriculture</i> Nil	<i>Rule 16(ii). Page 221.</i> Work in jail gardens and farms and in the gardens and ground attached to the house of the Superintendent; when he is provided with a residence in the jail premises;	The following may be added as Para second under Rule 16 (ii). Page 221 of the Rajasthan Jail Manual:—	There is no separate chapter dealing with Agriculture in the Rajasthan Jail Manual.
Regarding standard tasks in agriculture.		The scale of labour for work in the agriculture land by the convicts shall be as follows:— (1) 1 labour for 1 Bigha of land, growing vegetables. (2) 1 labour for 2 Bighas of land, growing fruits, lemon trees etc.	There is no separate chapter dealing with Agriculture in the Rajasthan Jail Manual.

1.	2.	3.	4.
<p>CHAPTER XI <i>Punishment & Rewards</i> <i>Para 9, Page 4 & 5.</i> Rajasthan has some.... useful and warranted. On an experimental..... Criminology.</p>	<p><i>Rule 5(1)(vi).</i> Page 5. Penal diet with or without cellular confinement not exceeding 48 hours; <i>Rule 5(1)(vii), Page 5.</i> Cellular confinement for not more than 7 days.</p>	<p>(3) 1 labour for 2 Bighas of land, growing crops (under water supplying scheme by tube wells.) (4) 1 labour for 4 Bighas of land, growing crops (during raining season).</p>	<p>As per proposed recommendation. As per proposed recommendation in Chapter VII Rehabilitation.</p>
<p>Note:—Labour have to be increased and decreased according to seasonal changes.</p>			

1.	2.	3.	4.
	<p><i>Rule 5(2)(iii), Page 6.</i> Cellular confinement for a period exceeding seven days.</p>	<p>In Rule 5 (2) (iii), Page 6 of the Rajasthan Jail Manual read "Seven days" as 72 hours.</p>	<p>As per proposed recommendation in Chapter VII Rehabilitation.</p>
	<p><i>Rule 5(2)(IX), Page 6</i> Penal diet combined with cellular confinement for more than 48 hours.</p>	<p>Delete Rule 5 (2) (ix), Page 6 of the Rajasthan Jail Manual.</p>	<p>As per proposed recommendation of the Commission.</p>
	<p><i>Note 2(1&2) in the end of Rule 5.</i></p>	<p>Delete Note 2 at Page 6 of the Rajasthan Jail Manual.</p>	<p>As the punishment of penal diet has been discouraged hence the amendment is necessary.</p>
	<p>Note 2.-The following punishments shall not be carried out in combination even when awarded at different times for different offences:-</p>		
	<p>1. Penal diet with whipping;</p>		

1.	2.	3.	4.
1. Penal diet with standing handcuffs.			
2. Standing handcuff with cross-fetters; and			
3. Cross - bar - fetters with bar - fetters.			
<p data-bbox="464 199 1015 269"><i>Rule 17, page 9. Punishment of cellular confinement.-Cellular confinement may be awarded for not more than 14 days, and after each period of cellular confinement an interval of not less duration than such period shall elapse before the prisoner is again sentenced to other cellular or solitary confinement.</i></p> <p data-bbox="464 269 1015 355"><i>In Rule 17, Page, 9 of the Rajasthan Jail Manual read "14 days" as "72 hours".</i></p> <p data-bbox="464 355 1015 442"><i>As per proposed recommendation of the Commission in Chapter VII Rehabilitation.</i></p>			

The convict-cell attendants shall have access to his cell to give the prisoner his food and attend to conservancy, but the prisoner shall have his meals alone, and bath in his cell yard.

Rule 27. Page 11, Penal diet, whipping, change of labour.—No punishment of penal diet, either singly or in combination, or of whipping, or of change of labour (minor, punishment No.ii) or of hard labour in the case of a prisoner sentenced to simple imprisonment

As per amendments proposed in the concerning paras regarding Penal diet.

1.	2.	3.	4.
	<p>(major Punishment No. i), shall be executed until the prisoner to whom such punishment has been examined by the Medical Officer and has been certified by him to be fit to undergo such punishment. The Medical Officer shall record his certificate in the punishment Register.If the Medical Officer considers the prisoner unfit to undergo the punishment,he shall record his opinion in writting and state whether the prisoner is absolutely unfit for punishment of the kind</p>		

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awarded or whether he considers any modification necessary. In the latter case he shall state what extent of punishment he thinks the prisoner can undergo without injury to his health. If the Medical Officer be the Superintendent, he shall not be bound to make a separate entry under this rule. It will be assumed that in giving the sentence he has duly considered the prisoner's health.

Convict Overseer & Convict-Night Watchman.

There should be only two categories, i. e. Convict-Night-Watchman (C. N. W.) and

Rule 1. Page 264. Grade of convict officers.

There shall be three grades of convict officers, watchmen, overseers and convict

In first line of Rule 1 read "two" for "three" and in line second insert "and" between watchman and overseer and delete "and convict warder"

1.	2.	3.	4.
<p>Convict Overseer (C. O.) and they be paid .50 P. and Rs. 1/- respectively, over and above their remissions. Convict Overseer should be given eight days per month and Convict-Watchman be given six days per month, subject to the maximum limits prescribed in the rules.</p>	<p>warders. Prisoners who have been appointed as convict officers are public servants within the meaning of the Indian Penal Code.</p>	<p>The word convict warder and any provision for convict warder appearing anywhere in the Rajasthan Jail Manual shall be treated as deleted.</p>	
	<p>Section 4 - Convict Warders Rule 27 to 31, page 270 to 271.</p>	<p>Delete Section 4-(Convict Warders) page 270 to 271 and re-number the rules after rule 26, page 270 of the Rajasthan Jail Manual.</p>	
	<p>Rule 32. Page 271. Physical training to</p>	<p>Delete "Convict Warders" from the line</p>	

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	<p>convict warders and convict overseers.- Convict warders and convict overseers shall receive elementary instruction in physical training exercise.</p>	<p>first and second of Rule 52, Page 271 of Rajasthan Jail Manual.</p>	
	<p><i>Rule 33, Page 271.</i> Fetters for convict officers.- Convict warders and convict overseers shall not be punished by the imposition of fetters.</p>	<p>Delete the words "convict warders" from first line of rule 33, page 271 of Rajasthan Jail Manual.</p>	
	<p><i>Rule 35, Page 271.</i> Supply of umbrellas.- All convict warders and convict overseers on duty on the main wall or elsewhere where they are exposed to the</p>	<p>Delete the words "convict warders" from line first of rule 35, page 271 of Rajasthan Jail Manual.</p>	

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	inclemency of weather, shall be provided with umbrellas to protect themselves from the sun in the hot weather and rain.	<p><i>Rule 37 & 38, Page 272, of Rajasthan Jail Manual.</i> Delete the rule 37 & 38 with note under it, page 272 of Rajasthan Jail Manual.</p> <p><i>Rule 8, Page 275.</i> Delete "Convict war- Rewards to convict officers for approved service.-Convict-night- whitchmen and con- vict overseers, convict- warders, if their duties have been performed. to the entire satisfaction of the superintendent, shall be granted an</p>	<p>ders" from the second line of para eight and read ".50 np. and Rs. 1/-" for "annas 3,5 and 8 annas" in 4th line of para 8. page 275 of Rajasthan Jail Manual</p>

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allowance of annas 3, 5 and 8 per mensem, respectively, which shall be drawn by the Jailor at the time of their release or on transfer to another jail under the head "Other Charges", money payments as rewards for capture and service; entered in the cash book and added as part of their property. Any allowance/gratuity thus awarded to them may not be withdrawn by way of punishment, as it is intended to form a fund for their use after their release

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from jail. The total amount of the allowance/gratuity earned under this rule shall be sent along with them if they are transferred to another jail.

Rule 6, Page 7. Restrictions in punishment of convict officers.- Delete the words "warders and" from rule 6, page 7 of Rajasthan Jail Manual.

Rule 13, Page 8. Forfeiture of privileges under the remission system.- Delete the words "convict-warders" from Rule 13, Page 8 of Rajasthan Jail Manual.

Forfeiture of prison privileges under the remission system includes any of the special privileges allowed to convict warders,

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convict-over-seers and convict-watchmen by the rules in this chapter. One or more of these privileges may be suspended. When awarding this punishment or reduction of class or grade (minor punishments Nos. (iv) and (v) and major punishment No. (ii)(f) referred to in rule 5), the Supdt. shall record whether it is to be permanent, or for what period.

Rule 6 Page 14. Scale of ordinary remission for convict officers:- In lieu of the remission allowed under the last Delete the words "Convict warders shall receive eight days of ordinary remission per month" and read "eight

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<p><i>REMISSION Recommendation No.4)</i></p> <p>The existing ordinary remission should continue, but special remission in 12 months are to be reduced from 90</p>	<p>preceding rule, convict warders shall receive eight days of ordinary remission per month, convict overseers six days per month and convict night watchmen five days per month. Convict overseers employed on duty on the main walls or outside the barracks at night shall receive two day's ordinary remission per month in addition to the remission granted under this rule.</p>	<p>days" for "six days" and read "six days" for "five days"</p>	<p>Read "Ten" for "Thirty" in rule 17 (a) and read "twenty" for "sixty" in rule 17 (b), page 17 of Rajasthan Jail Manual.</p>

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days (Superintendent 30 days and Inspector General of Prisons 60 days) to 30 days (10-20 days respectively).

(b) by the Inspector General, to an amount not exceeding sixty days in one year.

Explanation :-For the purposes of this rule, a year shall be reckoned from the date on which the convict is committed to jail or where he was in jail as an under-trial prisoner on the date of conviction, from the date of such conviction, and any fraction of a year shall be reckoned as a complete year.

Rule 5(2) (ii)(a), Page 6.
6. Forfeiture of remission earned, exceeding four days but not exceeding one month.

For bad conduct, forfeiture in remission should not be more than 3/4th of the remission due in usual

In rule 5(2) (ii) (a) read "12 days" for "one month"

Delete rule 5 (2)(ii)(b).
Substitute the follo-

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<p>course. Also it should not exceed 12 days and 30 days at a time by the Superintendent and the Inspector General of Prisons respectively and 90 days by the Government for one offence.</p>	<p>wing in place of the words, "the whole or part of any remission earned by the prisoner upto the date of the said conviction to be cancelled" in rule 3 page 13 of the Rajasthan Jail Manual :—</p> <p>"forfeiture of remission for not more than 3/4th of the remission due in usual course and for not more than 30 days at a time for one offence. The Government may forfeit 90 days earned remission at a time for one offence,</p>		

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It is recommended that use of cross-bars and standing hand-cuffs be abolished.	<i>Rule 5 (1) (ix), Page 5.</i> Imposition of hand-cuffs, otherwise than by hand-cuffing a prisoner behind or to a staple.	Delete the words "or to a staple" from rule 5 (1) (ix), Page 5 of Rajasthan Jail Manual.	
	<i>Rule 5 (2) (vii), Page 6.</i> Cross bar-fetters.	Delete the rule 5 (2) (vii), Page 6 of Rajasthan Jail Manual.	
	<i>Rule 5 (2) (viii), Page 6.</i> Handcuffing behind or to a staple.	Delete the words "or to a staple" from the rule 5 (2) (viii), Page 6 of Rajasthan Jail Manual.	
	<i>Rule 3. Page 417, of Rajasthan Jail Manual.</i>	Delete rule 3 (iii) and Para second and third of rule 3, Page 417 of Rajasthan Jail Manual.	

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Rule 4(c), Page 418. Delete Rule 4 (c), with Cross-bar fetters composed of a single bar for the purpose of keeping the legs apart and of the ankle-rings. The total weight of such fetters including ankle-rings, shall not exceed 2½ pounds.-The length of the bar shall not exceed 16 inches in the case of men who are not less than 5 feet 6 inches in height, or 14 inches in the case of men below this height.

Note :-The use of cross-bar fetters should be restricted to extreme cases of violence, and

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be resorted to as much as a prevention against assault as for punishment. The full period allowed for the imposition of this punishment should be awarded only in exceptional cases.

Rule 5. Page 419. Period Delete rule 5 (c), Page for which fetters may 419 of Rajasthan Jail be imposed.-The maximum period for which fetters may be continuously imposed shall be-

- (a) in the case of link-fetters, 3 months;
- (b) in the case of bar-fetters, 3 months;

1.	2.	3.	4.
<p>CHAPTER XIII Administration <i>Gradual up-grading.</i> We propose that, while the ideal should be to have one district Jail</p>	<p>(c) in the case of cross-bar fetters, two hundred and forty hours.</p> <p>A period of at least ten days must elapse after fetters of any kind have been imposed as a punishment for a prison offence before they can be again imposed as a punishment for another prison offence, whether of the same kind or not.</p>	<p><i>Section (1) Part VI</i> <i>Page 34.</i> Rules 2, 3, 4, contain the names of Central Prisons, District Prisons and Lock-up Jails.</p> <p>In view of the proposed recommendation of the Commission, changes will have to be effected in these rules accordingly as under :—</p>	<p>Due to changes in the reclassification of prisoners.</p>

1.	2.	3.	4.
<p>at each district head quarters, the up-grading should be a phased one. Apart from the existing district jails, in the first stage the Districts of Bhilwara, Tonk, Bharatpur, Sirohi and Jhalawar should have district jails.</p>	<p>(1) In Rule 2, Section I, Part VI Page 34-(a) delete "and Bikaner" and add "and" between Jaipur and Jodhpur.</p> <p>(b) Delete Note 1 & 2.</p> <p>(2) Existing Rule 3, Sec. I, Part VI, Page 34 will be replaced by the following :—</p>	<p>(3) District Prisons :— District Prisons are of two classes, namely, A and B. At present the District Prisons in Rajasthan belong to two classes as follows:—</p> <p>A Class :—Bikaner, Kotah, Udaipur, Ajmer.</p> <p>B Class:—Alwar, Ganaganagar, Bharatpur,</p>	
<p>All Head quarters Lock-ups are to be raised to the status of 'A' Class Sub-jails.</p>			

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Bhilwara, Sirohi Jhalawar, Tonk.

Note:—District Jail, Ajmer will be called as model Jail, Ajmer.

(3) In Rule 4, Sec. I, Part VI, Page 34 of

Rajasthan Jail Manual the names for the existing loc-kup jails will be replaced by the following :—

I CLASS SUB-JAILS

1. Jhunjhunu.
2. Dholpur.
3. Pratapgarh.
4. Dungarpur.
5. Sikar.
6. Neemka-Thana
7. Churu.
8. Pali

1.	2.	3.	4.
		9. Jalore. 10. Baran.. 11. Barmer. 12. Banswara. 13. Sawai Madhopur 14. Nagaur. 15. Bundi. 16. Chittorgarh. 17. Jaisalmer.	
		II CLASS SUB-JAILS 1. Sambhar. 2. Gangapur (JPR) 3. Hindaun. 4. Parbatsar 5. Merta. 6. Bali. 7. Bhinmal. 8. Balotra. 9. Jaitaran. 10. Chhabra. 11. Sadulpur.	

1.	2.	3.	4.
		12. Raisinghnagar.	
		13. Hanumangarh.	
		14. Kushalgarh.	
		15. Abu Road.	
		III CLASS SUB-JAILS.	
		1. Bandikui.	
		2. Behror.	
		3. Kotputli.	
		4. Malpura.	
		5. Karauli.	
		6. Phalodi.	
		7. Didwana.	
		8. Sanchoe.	
		9. Chechat.	
		10. Nainwan.	
		11. Nohar.	
		12. Karanpur.	
		13. Bhim.	
		14. Kanore.	
		15. Kotra.	
		16. Rajsamand.	

1.	2.	3.	4.
<p><i>Warders and Head Warders</i></p> <p>Warders should be recruited directly by a Selection Committee consisting of two Superintendents of Central Jails with the Dy. Inspector General as Chairman of the Committee. The Warders should have read at least upto 7th standard. The selection for the post of Head Warders</p>	<p><i>Rule 13, Page 315 Pt. XXIV.</i> Depot for recruitment of Head Warders, etc.—The circle jail to which the several subsidiary jails are affiliated shall be the depot for the recruitment of Head Warders and Warders. The Jodhpur and Bikaner central Jails will supply clothing for all warder- establishment and prisoners, but the</p>	<p>17. Gulabpura 18. Chhotisadri. 19. Begun. 20. Pokarn. 21. Jahazpur.</p>	<p>In Rule 13, Page 315 of the Rajasthan Jail Manual—delete “The Circle.....warders” and add the following:— (1) Warder should be recruited directly by a Selection Committee consisting of both the Supdts. of Central Jails with the Dy. Inspector General as Chairman of the Committee. The War-</p>

Amendment is necessary as per proposed recommendation.

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should be on seniority cum-merit basis by the same Committee. Warders, Head Warders may be promoted to the post of Assistant Jailors and 25 percent of this cadre may consist of such promotions recommended by the Committee referred to above. Only those who have put in five years, service shall be entitled to such promotions, High School or Matric and equivalent certificate holders excepted. The same rule shall apply for promotion by selection of 50% of the Deputy Jailors from the cadre

ders should have read at least upto 7th standard. The selection for the post of Head Warders should be on seniority-cum-merit basis by the same committee. Warders Head Warders may be promoted to the post of Asstt. Jailors and 25 percent of this cadre may consist of such promotions recommended by the Committee referred to above. Only those who have put in five years service shall be entitled to such promotions, High School or Matric and equivalent certificate holders excepted. The same rule shall apply for promotion by selection of 50% of Jailors from the cadre

1.	2.	3.	4.
Jailors and Jailors from the cadre of Assistant Jailors	of Deputy Jailors. The following may be added as rule 57(a):—		
After meeting, the requirements of the Jail, a maximum free quota of vegetables produced in the jail should be allowed to the jail staff.	<i>Page 163, Rule 57.</i> NIL.	“57 (a) After meeting the full requirements of the Jail, a maximum free quota of vegetables produced in the jail should be allowed to Prison Staff, as per schedule fixed by the Inspector General of Prisons.”	Added as per proposed recommendation of the Commission.
The Director of Jail Industries should be promoted to the rank of Superintendent, District Jail, A Class, but his status shall be above this rank.	<i>Section V & VI Page, 55 to 58 of Rajasthan Jail Manual.</i>	the existing Section V & VI of the Rajasthan Jail Manual appearing at pages 55 to 58, and substitute new Section V & Section VI vide Annexure 'G'.	As per recommendation of the Rajasthan Jail Reforms Commission.
CHAPTER XIV JAIL AUDIT AND ACCOUNTS Jail Audit and Accounts.	Nil, Except the Chapter No. XXV, Section VI, Page 368, dealing with the prisoners property only.	An independent chapter dealing with Jail Audit and Accounts is enclosed at Annexure 'H'.	This will be a new Chapter to be added in the Rajasthan Jail Manual.

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CHAPTER XV <i>Training of Prison Personnel.</i>	Page 122. Rule 336, Sec. XIX.	Training of Prison Personnel as per draft Annexure 'I' will be incorporated in Rajasthan Jail Manual before the Chapter--Military Training, Arms and Accoutrements' in section XIX, Part VIII	starting with para 336 and renumbering the subsequent paras of the existing Chapter 'Military Training, Arms and Accoutrements'.
The scheme is already given in detail.			
CHAPTER XVI Panchayat and Co-operative Societies in Jails.	NIL.	There being no mention in the Rajasthan Jail Manual about Panchayat and Co-operative Societies in Jails, separate chapter on these have been drafted and enclosed herewith, as Annexure 'J' and 'K'.	

CHAPTER XXI

Annexures to Amendments to Rajasthan Jail Manual.

ANNEXURE--A

FEMALE REFORMATORY

1. All Females sentenced to imprisonment for more than a month shall be confined in Female Reformatory.

Confinement of
Female Prisoners.

2. (a) A lady Deputy Superintendent, shall be the Incharge of the Reformatory under the general direction, supervision and control of the Superintendent, Central Jail, Jaipur till it is attached with Central Jail, Jaipur. She shall be a duly qualified graduate in psychology and trained in the treatment of juvenile delinquents also at the jail training school or any such approved institution. Otherwise Inspector General of Prisons will be the controlling Officer. A part-time Lady Doctor will also be attached to the Female Reformatory. There will be the following staff at Female Reformatory to work under the Lady Superintendent-

Control and
Management.

- | | |
|------------------------|-----------------|
| (1) Matrons..... | Two. |
| (2) Nurse..... | One. |
| (3) Dai..... | One. |
| (4) Female Warders.... | Six. |
| (5) Clerk..... | One. (L. D. C.) |
| (6) Peon..... | One. |

Note:—The Matrons and Female Warders, who will be employed at Female Reformatory, shall not be less than 30 years in age.

(b) In every other jail, where female prisoners are confined, a female warder shall be in-charge of the female enclosure. She shall work under the supervision and orders of the Superintendent of the concerning Jail.

Lady Visitor

3. There shall be one Lady non-official *Visitor* attached to every Jail, who shall visit the Jail atleast once a month.

Matron's Report
Book & Register.

4. In Female Reformatory every matron shall keep a report book, in which she shall record all occurrences of importance. She shall also maintain all labour and factory registers relating to prisoners and responsible for the safe custody of stores and materials in her charge.

Distribution of
Food

5. The matron or female warder shall carefully supervise the distribution of food to the prisoners and see that each prisoner receives her proper ration. She shall report to the Lady Deputy Superintendent any instance in which the food is bad, or badly cooked or is insufficient in quantity.

Keys of Female
Enclosures.

6. The matron shall have custody of the keys of the wards in which prisoners are confined during the day. After the locking up she shall deliver the key to the Superintendent, who shall lock them up in the key-chest. The Lady Deputy Suprintendent shall hand over the Keys again to the matron in the morning before unlocking.

Locking up of
Female Prisoners
in other Jails.

7. In other Jails, when the female warder is present on duty the entrance door shall be locked on the outside by the *senior* head warder

on duty and on the inside by the female warder. The key of the outside lock shall be returned by the senior head warder to the Jailor, who shall retain it and issue it to the senior head warder, when it is required again for use. When the female prisoners are locked up for the night both the locks shall be put on the outside of the entrance door, and the jailor shall lock the keys in the key-chest.

8. The female warder shall escort every female prisoner leaving the female enclosure, and shall remain with the prisoner until the prisoner returns to the enclosure or quits the jail premises.

Escorting of
Female Prisoners

9. The matron or female warder shall conduct the search of female prisoners. Such search shall not be conducted in the presence of any male person.

Search of Female
Prisoners.

10. The matron or female warder shall not allow any male jail officer or male person to enter the female enclosure without proper authority. If any male jail officer or male person without proper written authority at any time enters or attempts to enter any ward or portion of the jail reserved for occupation by female prisoners, she shall make a report to the Superintendent, forthwith.

Not Allowing a
male to Enter
Female Enclosure

11. The Lady Dy. Superintendent, Matrons and Female Warder shall in respect of the female prisoners perform the duties prescribed for the Dy. Superintendent, Jailor and Warders shall, as far as they may be applicable, apply to the Lady Dy. Superintendent, Matrons and Female Warders.

Duties of the Lady
Deputy Superin-
tendent, Matron
and Female
Warder.

Report in Case of
Suspected
Pregnancy.

12. The matron or the female warden shall, if she has reason to think that any female prisoner is pregnant, report the fact to the Superintendent.

Duties of the Lady
Doctor.

13. (a) The Lady Doctor attached to the Female Reformatory shall give her careful attention not only to the treatment of the sick but to every matter connected with the health of the inmate and the hygiene of the Reformatory.

(b) The Lady Doctor shall examine every new inmate on the day of her arrival at the Reformatory and shall record all the details in the proper register prescribed for this purpose. Every inmate in the Reformatory shall be medically checked up every month and her report shall be entered in the History Ticket

Pregnancy of
Female Prisoners.

14. (a) When a female prisoner (convict or undertrial) is admitted to jail she will be medically examined and if she is certified by the Medical Officer to be pregnant, the fact shall invariably be reported to the Inspector General of Prisons with particulars as to date of admission, term of sentence and duration of pregnancy. The date of confinement (if the prisoner is confined in the jail) or the date of release before confinement should also be reported to the Inspector General of Prisons.

(b) When a female prisoner is certified by doctor to be pregnant, the particulars regarding the period and pregnancy and probable date of delivery shall be recorded by her. The prenatal examinations shall be made at frequent

intervals and any abnormality shall be treated at once.

(c) Delivery shall be arranged at the civil hospital and adequate arrangements for post-natal case shall be made after the mother and child are shifted back to the Reformatory or jail.

(d) On the occurrence of a birth in jail a statement in the prescribed form will be sent to the Inspector General of Prisons, the District Superintendent of Police and to the immediate relative of the female prisoner.

15. The following articles shall be added to the expectant and nursing mother's regular diets :—

Diet for Pregnant Prisoners.

Milk	8 oz.
Sugar	2 oz.
Vegetables	4 oz.
Curd	2 oz.
Total calories	3195
Proteins	88.9 Gms.
Fat	46.4 Gms.
Carbohydrate	621.4 Gms.

16. A child under the age of four years, the off spring of a female prisoner, shall, if it has not been weaned or if it has been weaned and no friend or relative can be found to take charge of it, be admitted to jail with its mother. A child born in jail may be permitted to remain with the mother. Any female prisoner may be allowed to retain her child with her until it is four years of age or with the approval of the Superintendent even upto six years of age, if she so desires. As soon as any child admitted

Child with Mother.

or born in jail attains the age of four or six years, as the case may be, the Superintendent shall communicate with the Magistrate of the district of which the mother is or was a resident with a view to arrangements being made for the custody of such child. For the diet scale for children, see paragraph 37 of Section I scale of diet part IX.

Children in
Reformatory.

17. (a) Proper care shall be taken for the growth and development of the child born in the Jail or Reformatory and of child comes with his mother in jail or Reformatory. Extra care, adequate nourishment, education and opportunities for recreation shall be given to every child in the Reformatory. The expert eye of the M. O. and that of the educationist shall watch over the physical, mental and emotional growth of every child.

(b) A separate room, decorated with suitable pictures & posters in pleasant colours shall be set apart in Female Reformatory for the school of the children which will be called "BAL-WADI". Montessori or other modified type of equipment shall be provided as teaching aids.

(c) A small park with play equipment shall be provided within the compound of the Reformatory for playing the children.

(d) There shall be a trained lady teacher to give education to the children in Female Reformatory. The Teacher will have facilities to take the children out side the reformatory at least once a fortnight or move frequently under

the orders of the Lady Deputy Superintendent to establish social contact with other children as far as possible of the same age group. In cases of distance vehicles may be provided at Government cost.

(e) The children shall be provided better clothings and suitable toys. Milk and fruits shall be provided to them daily and sweets occasionally.

18. Sports and games shall be organised periodically. Arrangements for recreational and cultural programmes will also be made in Female Reformatory.

Sports and
Cultural
Programmes.

19. Panchayats shall be organised separately for women offenders on the lines exist for the whole prison population.

Panchayats.

20. No female prisoner shall leave or be removed from the female enclosure, except for transfer, attendance in court, release or under the orders of the Superintendent for any other special purpose. Every female prisoner, who is authorised to leave the female enclosure shall be accompanied by, and be in the custody of, the matron or the female warder from the time she leaves the enclosure until she has been brought back to it.

Removal from the
Female Enclosure.

21. Female prisoners shall be given facilities for reading books, newspapers and periodicals. A female prisoner may, at the discretion of the Superintendent, be allowed to keep, at her own cost, one or more religious books with her if not available in the library.

Facilities for
Reading Book &
News Paper.

Light Labour
During Month,
Cycle.

22. Female convicts shall be allotted light labour and provided with sterilized linen to ensure cleanliness during the period of menses:

Labour for
Female Prisoners.

23. Female convicts shall ordinarily be employed on—

1. Tailoring (both cutting and sewing).
2. Knitting and Crochet work.
3. Hosiery making.
4. Paper Machetoy making and toys of other kinds from rags and pieces of cloth (soft toys).
5. Glass bead Industry.
6. Paper flower making.
7. Embroidery.
8. Niwar-weaving.
9. Home decorating.
10. Basket making.
11. Soap making.
12. Cane and bamboo work.
13. Chalk sticks.
14. Lamp shade making.
15. Painting and Drawing.
16. Local handicraft.
17. Flower gardening, and
18. Kitchen gardening.

Training for
Female Prisoners.

24. Female prisoners shall be given training in needle work, knitting, Dai's work and other domestic industries. Special attention shall be paid to teach the inmates useful subjects like—home science, principal of hygiene, social education, mothercraft, Prenatal and postnatal care etc. Those having interest in getting education shall be allowed the facility and to appear in

examinations with the permission of the Inspector General of Prisons. Education will be compulsory to those female prisoners, who are imprisoned to more than six months sentence.

Amenities for
Female Prisoners.

25, (a) The hair of a female prisoner shall not be cut except by order of the medical officer recorded on the history ticket in any case, where he considers this necessary on the grounds of health and cleanliness. In such cases the hair shall not be cut shorter than is necessary for the purposes of health and cleanliness.

(b) Female prisoners shall be supplied with a comb for their hair. They shall also be given one chhatak of soap and one chhatak of mustard oil per head every week for washing and dressing their hair. They shall also be allowed the use of a looking glass, one or two such glasses being provided for the purpose in each ward.

(c) All female prisoners shall be permitted to retain their 'Churis' at their own expenses. If any female prisoner requests to be supplied with 'churis' at Government cost, unbreakable 'churis' of a suitable type, not exceeding two for each hand, shall be supplied to her. Glass 'churis' shall not be supplied or replaced at Government cost.

(d) Female prisoners may be allowed to retain in moderation certain ornaments of small value such as 'churis', toerings and nose-rings. Superintendent may, however, at her discretion refuse to allow the retention of ornaments in any particular case if there is any apprehension of their misuse.

Female prisoners shall be responsible for the safe custody of such articles, which should be entered on the history tickets and initialled by the Superintendent.

Female Prisoners
not to be Punished
by Imposition of
Hand Cuffs &
Fetters.

26. A female prisoner shall not be punished by the imposition of handcuffs or fetters. Female prisoners shall not wear fetters or cross-bars on transfer.

Male Officers
Visiting a Female
Enclosure.

27. No male officer of the jail shall enter the female enclosure by day unless he has a legitimate duty to attend to and is accompanied by the matron and the female warder all the while that he remains inside such enclosure. Should it become necessary to enter the female enclosure at night, the officer concerned shall be accompanied by the matron and the female warder and shall not stay longer than is absolutely necessary. This shall be done only under the orders in writing of the Lady Deputy Superintendent.

Finger Impress-
ions or Photogra-
phs of Female
Prisoners.

28. When a police officer is required to take the finger-impressions or photographs of a female prisoner, the prisoner shall be called in the office of the Lady Dy. Superintendent and the police officer shall take the impression or photographs in the presence of the Matron.

Release of
Female Prisoners.

29- Arrangements shall be made to send the female prisoner to her home after her release if no escort is available from her family. If she has got no home, arrangements shall be made to send her to the nearest rescue home or any such institution.

Use of Register
and Forms

30. All the Registers, History Ticket & other prescribed forms which are used and maintained

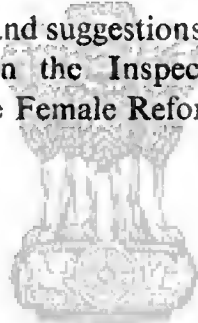
at other jails in Rajasthan shall be used at Female Reformatory.

31. All Rules relating to admission, detention, remission, dieting and release shall, as far as they are applicable to other prisoners in jails in Rajasthan, apply to the female prisoners confined in Female Reformatory.

Rules for
Admission
Detention,
Remission for
Female Prisoners-

32. The Inspector General of Prisons or the Deputy Inspector General of Prisons while inspecting the Female Reformatory will give every female convict ample opportunity of oral representation which she may wish to make.

The remarks and suggestions of these officers shall be noted in the Inspection note book maintained at the Female Reformatory.



नन्दमोहन नयनं

ANNEXURE 'B'

Juvenile Reformatory

Confinement of
Juveniles.

1. The Juvenile Reformatory shall have two-wings—one shall keep the boys upto the age of 18 and the other wing shall keep the boys from 18 to 21.

No one sentenced to a term of imprisonment for one month or less, if sent to the prison for custody shall be sent to the Reformatory.

These juveniles who have to stay for less than three years in the Jails, they shall also be kept in the Reformatory, in a separate wing to give them the advantages of the specialised treatment.

Management of
Juvenile
Reformatory

2. For management of the Juvenile Reformatory, there will be a Dy. Superintendent, who will be designated as "Abhibhawak". A Abhibhawak shall be atleast a graduate in Psychology and should have undergone special training in the correctional work of Juveniles. Inspector General of Prisons will be the Controlling Officer. A Medical Officer will also be attached to the Juvenile Reformatory.

Period of
Detention in
Juvenile
Reformatory.

3. Provision No. VIII of 1897, Rule 8, shall apply to this Reformatory, as far as possible, which lays down that "Whenever any youthful offender is sentenced to transportation or imprisonment and is, in the judgement of the Court by which he is sentenced, a proper person

to be an inmate of a Reformatory School, the Court may, subject to any rules made by the State Government, direct that, instead of undergoing his sentence, he shall be sent to such a school, and be there detained for a period which shall be not less than three or more than seven years.

Rules made by the State Government regarding the definition of Youthful offenders and the period of stay shall apply to the Reformatory.

4. There shall be a Advisory Board for this Reformatory consisting of the District Magistrate as Chairman, the Principal Medical and Health Officer, Director of Social Welfare Department or his nominee, Superintendent of the Reformatory and a lady and two other non-official member nominated by the District Magistrate.

Board of Visitors.

5. The Board shall meet once a month on the date fixed by the Abhibhawak. The quorum for the meeting of the Committee shall be three of which at least one shall be a non-official member.

6. Without unduly interfering with the authority of the Abhibhawak the members of the Board shall be expected to take a general interest in the management of the Juvenile Reformatory and the educational, vocational and physical progress of the inmates confined therein.

7. The Board and the members individually shall make periodical visits to the Reformatory

to see the work given to the inmates and make such suggestions for the consideration of the Abhibhawak as they consider suitable.

Nomination of the
Non-official
Members.

Three months before the date of expiry of the term of non-official members the Abhibhawak shall inform the Inspector General of Prisons, who shall report to the Rajasthan Government the names of the members and the date of expiry of their term and ask for the nomination of new members.

Annual Report
of Reformatory.

9. The Abhibhawak shall place before the Board the Annual Report of the Reformatory and forward it for the consideration of the Inspector General of Prisons with such observations as the Board may like to make on the Year's work.

Transfer of
Juveniles to the
Reformatory.

10. The Superintendents of the Jails in Rajasthan and the Officers Incharge of the Sub-Jails in Rajasthan shall transfer the Juveniles sentenced to imprisonment for more than a month to the Juvenile Reformatory. Juvenile convicts, whose term of imprisonment is less than one month shall not be transferred to the Juvenile Reformatory. If the number of girl juveniles is more than 12, a separate wing for the juvenile females may be opened attached to the Female Reformatory. Even if the number is less than 12, industrial training shall be given to them in the Female Reformatory itself.

Transfer of
Juveniles Without
Waiting the
Result of Their
Appeal.

11. Juvenile convicts, who are eligible for transfer to Juvenile Reformatory shall be transferred immediately without waiting for the result of appeal and without reference to the Inspector General of Prisons.

12. In the Reformatory, each juvenile convict shall be carefully studied and the treatment given to him and his daily activities shall be adapted to the particular needs of each individual convict and the aim of Prison treatment shall be to give the young offenders, whose minds and character are yet elastic, such training, as is likely to create in them a high standard of social behaviour.

Training to
Juveniles.

13. Instruction in reading and writing Hindi as well as arithmetic shall be compulsory. Each convict shall be taught a craft or trade for which he possesses necessary aptitude and which he is likely to follow after release in order to secure an honest livelihood. Physical drill, gymnastics, indoor and outdoor games and training in scouting shall be provided for all convicts.

Trades and
Education.

14. On first admission of every juvenile convict into reformatory a friendly letter shall be sent to his parents or near relation by the Abhibhawak intimating them of the inmate's admission and inviting suggestions and co-operation for the Welfare of the boy.

Action on
Admission.

15. The parents and the near relations of the convicts shall be allowed to visit them once a month and to correspond with them in writing once a fortnight. Parents or near relations shall in every case receive notice of serious illness and intimation shall be sent to them well in time before a convict is released from the Reformatory.

Interviews and
Communication.

16. If no relative or friend of a Juvenile convict attends the jail to receive him on the

Action on
Release.

day of release, the Abhibhawak shall make arrangements to have him escorted to his home. In case of no home, the juvenile shall be sent to a Shelter Home or After Care Home.

A detailed report, one month before the release of the boys, shall be sent to the Social Welfare Department, requesting them to arrange for their rehabilitation. It shall be the duty of the Prison Welfare Officer attached to the Reformatory to persue the matter and help in the rehabilitation.

Inspection by the
Inspector General
and the Deputy
Inspector
General.

17. The Inspector General of Prisons or the Dy. Inspector General of Prisons, while inspecting the Reformatory will see every inmate of the Reformatory and will give every juvenile convict an ample opportunity of oral representation, which he may wish to make. A brief memorandum of the state in which he finds the Reformatory and of the manner in which it is administered etc. together with any suggestions he may wish to make and any orders he may have issued to the Abhibhawak on the occasion of each inspection be recorded by the Inspector General of Prisons or Dy. Inspector General of Prisons in his inspection note to be pasted in the Visitor's Book.

Selection of
Staff.

18. The Inspector General of Prisons shall carefully select the staff members to be posted at Juvenile Reformatory. Trained teachers for educational and vocational training, shall be provided in the usual prescribed scales.

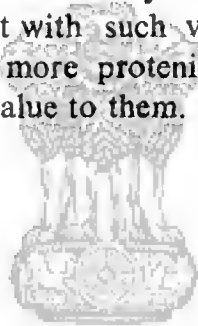
Medical Care,

19. The Medical Officer attached to the Juvenile Reformatory shall give his careful

attention not only to the treatment of the sick but to every matter connected with the health of the inmate and the hygiene of the Reformatory.

20. The Medical Officer shall examine every new inmate on the day of his arrival at the Reformatory and shall record all the details in the proper register prescribed for this purpose. Every inmate in the Reformatory shall be medically checked up every month and his report shall be entered in the History Ticket.

The caloric value of the diet for the inmates of the Juvenile Reformatory shall be the same as for adults, but with such variations as are necessary, to add more proteinic, health giving and psychologic value to them.



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ANNEXURE 'C'

Jail Buildings

Power of Inspector General of Prisons to Accord Administrative Sanction.

1. The Inspector General of Prisons is empowered to accord administrative sanction to project for original work costing upto Rs. 1 lakh.

Lump Appropriation for Minor & Petty works and Maintenance and Repairs.

2. Lump appropriation shall be made in the Jail budget under the head 'C' Works for minor and petty works and for maintenance & repairs and the Inspector General has authority to allot funds against sanctioned estimates within the sanctioned grant. No estimates are required for annual repairs. When a work has to be carried out by the Public Works Department the Inspector General shall intimate allotment to the Superintending Engineer concerned.

Inspection of Jail Buildings by Public Works Department.

3. The Jail shall be open at all times in the day to inspect by Superintending Engineer and Executive Engineers of the Buildings and Road Branch of the Public Works Department if their services have been requisitioned by the Inspector General of Prisons. The Building Officer shall record once a year a general account of the condition of the buildings of every jail in the State, a copy of which shall be sent to the Superintendent of the Jail.

Report of Damage Caused by Accident or fire.

4. The Superintendent shall report atonce to the Inspector General Prisons and the Building Officer, any damage caused by accident or fire

to a Government building so that action may be taken in time to prevent further damage to the building. Funds to carry out the repairs necessitated by such damage shall be provided by the Jail Department.

5. The Superintendent Jail shall maintain a register of buildings and keep it posted upto date.

Register of
Buildings.

6. A Site Plan of the Jail posted upto date shall be placed in the office of the Officer Incharge Jail or Lock-up.

Site plan.

7. (a) Every work undertaken by the Jail Department shall be carried out by that Department in accordance with the rules contained in the Manuals of the Republic Works & Accounts Department.

Execution of
Works.

(b) The Buildings and Roads Branch of the Public Works Department in the case of building projects shall be called upon to carry out only such works as require scientific management.

(c) At each Central Jail, the Superintendent shall maintain a sufficient number of convicts trained in masonry for employment in his own as well as other affiliated Jails in order to save outside labour as much as possible.

8. All accounts books and records regarding the expenditure of money on works, repairs or constructions shall be kept distinct and separate from those of the Jail and the factory.

Account Books
and Records.

9. Materials purchased, including articles supplied from Jail Factories, shall be taken in the stock book of building material, in which an

Stock Book of
Building Material.

account shall also be maintained of all materials obtained from demolished buildings. The Superintendent Jail shall verify the stock of buliding material once in a year.

Issue of Materials.

10 When materials are issued from stock each issue shall be entered under the head of the work on which it will be expended and the number and date of the indent duly sanctioned by the Superintendent Jail shall also be noted. Each item of issue shall be signed by the Officer receiving the materials.

Staff of the Jail
Department

11. The Jail Department will have its own permanent technical staff viz. a Building Officer in the Grade of Assistant Engineer, 2 Overseers, 2 Draftsman and a Mistry. Temporary staff can also be recruited as and when necessary according to the budget allotment.

Other Buildings
to be away from
Jail Buildings.

12. No buildings either Government or private should be allowed to be constructed in the vicinity of the Jail Building. The minimum distance between such buildings should be 100 feet.

Factories etc. to
be Kept away from
Jail.

13. For the security of the jails and to enable the prisoners to have a quiet rest during night, no power or oil driven factory shall be allowed to be installed within a distance of 200 yards from the Jail boundary.

ANNEXURE 'D'

Uniform

The uniform of Gazetted Officers of the Jail Department shall be :—

Gazetted Officers
Uniform.

WORKING DRESS IN SUMMER

- (a) Khaki woollen forage cap of Baretea cloth.
- (b) Rank Badges.
- (c) Khaki cellular Bush shirt with cloth belt
- (d) White metal buckles,
- (e) Khaki drill pants
- (f) Khaki woollen stockings
- (g) Brown leather shoes.

OR

FULL DRESS

- (a) Khaki Pith helmet with dark green band at the top of the pugree.
- (b) Badges of rank
- (c) Khaki cellular shirt.
- (d) Khaki drill tunic Police pattern.
- (e) Dark green tie.
- (f) Khaki drill pant.
- (g) Sam brown leather belt.

WINTER UNIFORM

WORKING DRESS

- (a) Khaki woollen forage cap of baretea cloth
- (b) Rank Badges.
- (c) Khaki woollen jersey.
- (d) Khaki woollen Bush shirt with Khaki woollen cloth belt.

- (e) White metal buckle.
- (f) Khaki woollen socks.
- (g) Brown leather shoes.

FULL DRESS

As for summer described above.

NOTE :—

- (1) Dark green whistle cord with whistle will be put on all cases.
- (2) Silver or white or nickle metal badges will be worn instead of brass ones.
- (3) Sam brown belt fittings will be of white metal or silver instead of brass ones.
- (4) Cap badge of approved design will always be used on forage cap,
- (5) Dark green tie with sam brown leather belt will be worn on ceremonial or important occasions while dark green tie with Khaki drill cloth belt or web belt may be used on informal occasions.
- (6) The Gazetted Officers shall only be paid Rs. 500/- as initial grant for preparation of their Uniforms as done in the Police Department.
- (7) Lady Deputy Superintendent shall be provided Khaki Bush Shirt and short coat in winter with the usual star of her rank and sari of the same colour.

The uniform of the Jailors, Inspectors, Dy. Jailors and Assistant Jailors will be as follows—

JAILORS & INSPECTORS

- (a) Khaki woollen peak caps with cap badge metal.

Uniform of
Jailors, Inspectors,
Deputy Jailors and
Asstt. Jailors.

- (b) Khaki Bush Coat cotton full sleeves with cloth belt and four pockets army pattern.
- (c) Rank Badges—Two pairs of Ashoka stambh brass (one pair for Great coat and one pair for Bush coat)
- (d) R. J. Shoulder scrolls.
- (e) Yellow and green brade.
- (f) Whistle scout pattern.
- (g) Green whistle cord.
- (h) Khaki unturned bottom cotton trousers.
- (i) Khaki woollon great coat.
- (j) Buttons large for great coat -6
- (k) Buttons medium 6
- (l) Buttons small 6
- (m) Brown leather shoes. one pair.

Deputy Jailors
Uniform.

All uniform like that of Inspectors and Jailors except rank badge which will be as follows :—

- (a) Peak Cap warm with metal cap badge.
- (b) Rank Badge—Six pairs of brass stars (Three pairs of bush coat and three pairs for great coat.)

Assistant Jailors'
Uniform.

All uniforms like that of Deputy Jailor except rank badge which will be as follows:—

Four pairs of brass stars (two pairs for Bush coat and two pairs for great coat).

NOTE :—

Inspectors, Jailors, Deputy Jailors and Assistant Jailors may wear Khaki shirts with two buttoned pockets and shoulder flaps and web belts during the summer and rainy season.

**Maintenance of
Uniform.**

The following maintenance allowance will be granted to the officers required to wear uniform :—

(a) Inspectors and Jailors Rs. 45/-per annum.

(b) Deputy Jailors and Assistant Jailors Rs. 45/-per annum.

**Rank Badges for
Gazetted Officers.**

The following rank Badges are prescribed for the Gazetted Officers :-

(a) Superintendent Central Jail— Ashok stambh and one star.

(b) Superintendent District Jail— Ashok stambh.

(c) Deputy Superintendents—(i) On appointment and up to one year— one star.

(ii) After one year and up to three years two stars.

(iii) Beyond three years—three stars.

**Initial Grant to
Non-Gazetted
Officers.**

The Non-Gazetted Officers of the Jail Department will be granted an initial grant of Rs. 200/-for preparation of their uniforms.

**Uniform when to
be worn.**

All the Officers who are sanctioned a uniform allowance are required to put on uniform while they are on duty.

- | | |
|---|--|
| 1. Side cap warm | One initial supply and two every third year. |
| 2. Metal cap badge | One for indefinite period. |
| 3. Khaki Bush coat cotton full sleeves with cloth belt and four pockets army pattern, | Two initial supply and two every year. |
| 4. Rank Badges. | One pair of star for indefinite period. |
| 5. R.J. Shoulder scrolls. | Two pair for indefinite period. |
| 6. Whistle Scout pattern. | One for indefinite period. |
| 7. Yellow & green brade | One pair every year, |
| 8. Green whistle cord | One in three years. |
| 9. Khaki unturned bottom cotton trousers. | Two every year. |
| 10. Jersey | One in two years. |
| 11. Medium buttons | Six for indefinite period |
| 12. Small buttons | Eight for indefinite period. |
| 13. Brown leather shoes | One pair every year. |
| 14. Brown Boot Polish large tins. | Three in a year. |
| 15. Boot Brush | One in two years. |
| 16. Button cleaning frame | One for indefinite period. |
| 17. Coat hanger metal. | One for indefinite period. |
| 18. Brasso small tins | Four in a year. |

19. Great coat woollen One for seven years.
with five big and
five medium buttons.
20. Rain Coat One for seven years.
21. Durrie blue 6'x3, One for five years.
22. Kit Box. One for indefinite
period.

Uniform of Head
Warders.

1. Side cap Khaki Two every year.
cotton.
2. Khaki Bush Coat Two every year.
cotton full sleeves
without pockets.
3. Khaki Unturned bo- Two every year.
ttom cotton trousers.
4. Jersey woollen One in every two year.
5. Brown leather belt One in four years.
with buckle
6. Medium buttons (for Four for indefinite
bush coat) period
7. Smal buttons (two Four for indefinite
for cap, two for bush period
coat shoulders)
8. R.J. Shoulder scrolls Two pairs for indefi-
nite period.
9. Brown leather One pair every year.
Mudda Shoes
10. Brown Boot Polish Three every year.
large tins.
11. Boot brush One in two years.
12. Button cleaning One for indefinite
frame period
13. Whistle scout pattern -do-

- | | |
|--|----------------------------|
| 14. Brasso small tins | Four in one year. |
| 15. Coat hanger metal | One for indefinite period. |
| 16. Balon | One every third year. |
| 17. Green whistle cord | One every third year. |
| 18. Chevrons | One in two years. |
| 19. Khaki knicker | Two every year. |
| 20. Great Coat with five big and five medium buttons | One for seven year. |
| 21. Kit Box | One for indefinite period. |
| 22. Durrie 6' x 3' | One for five years. |

All articles like that of Head warder except chevrons whistle cord and baton. A *Lathi* will be supplied every fourth year. A whistle will be placed suitably in narrow pocket in front.

Uniform of
Warder.

The Uniform of Matron will be as follows:—

Uniform of
Matron.

1. Khaki Collular Bush shirt.
2. Khaki Sari.
3. Brown Sandals.

The matron will get uniform allowance like that of Assistant Jailors and Deputy Jailors.

The Nurse and *Dai* will use the same uniform as is being worn in Medical Department.

Uniform of Nurse
and Dai.

- | | | |
|-------------------------------|-----------------------------|-------------------------------|
| 1. Khaki Sari muslin | Two every year. | Uniform of
Female Warders. |
| 2. Khaki Petty coat | Two every year. | |
| 3. Khaki Blouse | Four every year. | |
| 4. Jersey | One in two years. | |
| 5. Small button for shoulders | Four for indefinite period. | |

6. R. J. Shoulder scroll Two pairs for indefinite period.
7. Brown leather Mudda shoes. One pair every year.
8. Whistle scout pattern One for indefinite period.
9. Brown Boot Polish Three every year. large tins.
10. Boot Brush One in two years.
11. Coat Hanger metal. One for indefinite period.
12. Button cleaning -do-
frame
13. Brasso small tins. Three in one year.
14. Great coat with five big and five medium buttons. One for seven years.
15. Kit Box. One for indefinite period
16. Durrie 6'x3' blue One for five years.

Warder Staff to be provided with Uniform Free of Charge.

Every member of the warder staff shall be provided with uniform etc. free of charge according to his rank and grade.

NOTE.-

- (1) Whistles are not interchangeable i. e. a whistle used by one warder or Head warder shall not be issued to another warder or Head warder. Buttons, whistles, or lathi etc. shall be replaced when they become unserviceable.
- (2) Every member of the warders staff shall be provided with a charpoi (to be strunk with

moonj, ban or jute string) but it will remain at the institution and not taken away by an individual on his transfer.

(3) Head Warders will wear Chevrons in the following way:—

- (a) On appointment either officiating or temporary.—one chevron
- (b) On confirmation. —Two chevrons.
- (c) On completing five years. —Three chevrons.

The bush coats, pants, knickers, and caps will be made in three sizes as follows:—

Size of Clothing-

- A size— For warders whose height is from 5' 8" to 6'
- B size-- For warders whose height is from 5' 6" to 5' 7"
- C size:— For warders whose height is 5'-5" and below.

The Inspector General Prison shall fix the Jails and private firms for the supply of different articles of uniform and equipment for the Jail staff and indents shall be sent to such Jails and firms in accordance with any instructions issued by the Inspector General of Prisons. Normally the following are the supplying Jails:—

Supplying Jails & Private Firms.

- Central Jail, Jodhpur— All cotton uniform articles viz. bush coat, pant, knicker, cap and chevrons.
- District Jail, Bikaner— Woollen Great coats.
- District Jail, Alwar— Mudda shoes.
- Model Jail, Ajmer. Brass buttons, buckles and shoulder scrolls.

Record of Articles
issued to Warder
Staff.

Warders shall be supplied with a kit book in a prescribed form in which the date of issue of each article of uniform supplied at State expense shall be recorded. They shall keep this Kit Book with them and take to another Jail on transfer. The issue of uniform articles shall also be noted in the Kit Roll of the warders concerned for facility of reference in case the Kit Book is lost. The kit Roll will be filed in the personal file of the individual.

Marking of Articles

Every article of clothing will be marked with the date of issue in one inch figure and the badge No. of the individual before it is issued.

Fitting and
Maintenance of
Uniforms.

(a) The Jail Superintendents will be responsible for seeing that the uniform and equipment of all Jail officers are properly fitted and maintained upto the standard prescribed.

(b) At big Jails where the post of a washerman is sanctioned, his services will be available for warders. The washerman will be issued a reasonable quantity of washing material including starch for warders uniform weekly and so also charcoals for ironing.

(c) At sub-jails, where there is no washerman, an iron will be available for warders. They will be issued a reasonable quantity of washing material including starch and charcoal weekly out of petty items budget grant.

Kit Inspection.

The Superintendent shall hold a Kit Inspection once every month, ordinarily on first Parade day, when every warder shall be required to exhibit all the articles of his outfit. Any article, which may have been lost or damaged by care-

lessness shall be replaced at the expense of the warder concerned. Similar kit inspection shall be held by the Inspector General Prisons at his annual inspection. While exhibiting Government articles the warders and Head warders will wear the following mufti cloth :—

- (a) White pant with turned bottom,
- (b) Jodhpuri type coat of Shikari cloth.
- (c) Side cap green.

NOTE :—Jail made cloth of one suit for the above will be made available to every warder once a year only at raw material cost from the Jail fixed by the Inspector General Prisons.

The Line Officers at Central Jail, Jaipur, Jodhpur and District Jail, Bikaner and the Chief Head Warder at District Jail, A Class and the senior Head Warder at District Jail 'B' Class and the head-warder at the Sub-Jails shall inspect all warders in the proper use of and the methods of putting uniforms.

Proper Use of Uniform.

Articles of Uniform may be altered by convict labour so as to fit warders, and any damage by fair wear and tear may be repaired by convict labour free of cost.

Repairs and Alterations.

Warders shall not leave the quarters dressed partly in uniform and partly in private clothes. When on duty they shall be properly and correctly dressed and when off duty they shall wear either full uniform or private clothes.

Uniform not to be worn partly with Private Cloths.

NOTE:—

On ceremonial occasions when warders are required to go in plain clothes, they will wear Mufti clothes as prescribed in para 17 above.

When Uniform
becomes Property
of Warder

Each article of Uniform except belt and metal badges becomes the property of the warder concerned after it has been in use for the period prescribed for renewal, but not until another has been supplied in place of it.

Out-fit of Outgo-
ing Warder

The outfit of warders who have resigned or have been dismissed, discharged or died shall be made over to the successor. In case the outgoing warder has used the articles of uniform in a careless manner rendering it unserviceable, their cost will be deducted from him proportionately keeping in view the condition of the article and the period used by him.

Extra Articles For
Line Officers.

Assistant Jailors working as Line Officers at Central Jail, Jaipur, Jodhpur and District Jail, Bikaner will be issued the following articles on Government cost:—

- (i) Brown boot 3 in one year.
Polish largetins
- (ii) Boot Brush one in two years.
- (iii) Buttons clean- one for indefinite
ing frame period.
- (iv) Brasso small tins four in one year.
- (v) Jersey woollen. one in two years.

Custody of
Uniform While on
Leave.

A warder shall, when proceeding on leave for a period of one month or more, make over his or her articles of uniform to the Line Officer at Central Jails, Jaipur, Jodhpur and District Jail, Bikaner and Chief Head Warder at 'A' Class Jails and the senior Head-Warder at District Jail 'B' Class and the Head-Warder at Sub-Jails, who shall see that they are neatly folded and kept in the warders Kit Box.

Articles to be
taken on
Transfer.

A Head-warder or warder shall, on transfer from one jail to another, take with him or her all the articles of his kit except his charpoi.

ANNEXURE 'E'

Section II-OPEN CAMPS.

Any open land declared by the Government for the detention of the prisoners temporarily in an Open Camp in pursuance of clause (1) of Sec. 3 of the Prisons Act 1894 (Central Act 9 of 1894) as adapted to the pre-organisation State of Rajasthan, shall be called temporary prison here-in-after called as "Open Camp". Open Camps shall be called '*Shivir*'.

Open Camps defined.

There shall be the following staff at an Open Camp with not more than 200 inmates :—

Staff

- (1) 1 Superintendent (of the rank of a Superintendent, District Jail, A Class).
- (2) 1 Jailor.
- (3) 1 Accounts Clerk.
- (4) 1 Medical Officer.
- (5) 1 Compounder.
- (6) 1 Lower Division Clerk.
- (7) 2 Head Warders.
- (8) 10 Warders.
- (9) 2 Sweepers.

The staff shall be paid 20 percent extra of the usual salary alongwith other usual amenities provided in the rules. There shall be a classification Committee at the District and Central Jail consisting of the Superintendent, Medical Officer Local Welfare Officer or Probation Officer, a Non-Official visitor and a Representative of the

Selection of inmates.

District Crime Prevention Society if such a society exists. Names recommended by this Committee shall be sent to the Inspector General of Prisons, Rajasthan, who shall take advice of a screening Committee comprising of the Inspector General of Prisons, the Dy. Inspector General of Prisons and the Superintendent of the Camp.

There shall be separate Camp for short termers, if necessary.

In Open Camps, as a rule, well behaved convicts, who have served not less than 1/4 of their substantive term, shall be sent. Medical fitness for Camp life shall also be certified.

Features of the
Camps.

The following amenities shall be provided:—

- (a) Education.
- (b) Library and Reading Room.
- (c) Well-equipped Hospital.
- (d) Entertainment, hobbies, recreations, music, *kirtans*, cultural programmes shared by the free neighbourhood i.e., full phase of social education.
- (e) Panchayats, common amenity fund contributed by the inmates, canteen managed by the inmates themselves, fines imposed by Panchayats on workers and donations received from the prisoners go in the pool of amenity fund.
- (f) Such paragraphs of the Jail Manual as are contradictory to the rules applicable to Open Camps shall remain suspended.
- (g) Facilities for writing any number of letters to families and visits by relations in relaxed conditions

- (h) Home leave in case of illness in family or marriage or other important ceremonies in the house.
- (i) A long detention in the camp is considered unnecessary as it is believed that if correction is to take place, it should come within two or three years. Prisoners are given one day's remission for each day's stay in the camp and the system of premature release is liberally employed.
- (j) Employment Exchanges have been instructed to provide all facilities and help to the prisoners desiring employment, after their release.
- (k) Those selected for the staff of these camps should possess integrity, spirit of social service and humanitarian outlook.

In open Camps, the family of the inmate may be allowed to remain with him in a separate hut at the cost of the inmate after obtaining necessary sanction from the Superintendent of the Camp.

Sex Problem.

Rate of wages in an Open Camp shall be as in the case of free labour as prevalent on the site and location of the Open Camp.

Wages in Open Camps.

Maintenance cost shall be paid by the inmates.

Security arrangements in an Open Camp shall be so established that on the one hand escapes are minimised and the neighbouring community does not feel insecure; and on the other hand such arrangements are least, visible.

Escapes.

ANNEXURE 'F'

Rajasthan Prisoners Release on Ticket On Leave Rules

If exercise of the powers conferred by Sub-section (6) of Section 401 of the Code of Criminal Procedure, 1898, (Act V of 1898), the Government of Rajasthan is pleased to make the following rules, namely :

RULES

1. *Title commencement and application* :—

(a) These rules will be called Rajasthan Prisoners Release on Ticket on Leave Rules, 1964 ;

(b) They shall come into force on the date of their publication in the official Gazette.

2. *Definitions* :—In these rules unless there is anything repugnant to the subject or context:—

(a) "The Act" means the Code of Criminal Procedure, 1898 (Act V of 1898) ;

(b) "Superintendent" means the Superintendent of a Jail in which a convict to be released on ticket on-leave under the Act is confined ;

(c) "Government" means the Government of Rajasthan.

(d) "Guardian" means a Government Servant, any other person, or a secular institution or society under whose supervision and authority the prisoner whose

sentence has been suspended under section 401 (1) of the Act is placed by the Government.

- (c) A "Quarter" of the year will be—
 (i) from January 1 to March 31,
 (ii) from April 1 to June 30,
 (iii) from July 1 to September 30, and
 (iv) from October 1 to December 31.

The following classes of prisoners shall not be eligible for release on ticket on leave :—

Ineligibility for release.

(a) Those convicted of offences under following chapters or sections of the Indian Penal Code—

Chapter VI (Offences against the State),

Chapter VII (Offences relating to the Army, Navy and Air Force),

Section 216-A (Harboursing robbers or dacoits),

Section 231-232 (Counterfeiting coins),

Section 392-394 (Robbery),

Section 395-402 (Dacoity),

Section 489-A (Counterfeiting currency notes) ;

(b) Those whose ordinary place of residence is outside the State of Rajasthan ;

(c) Those who have escaped from the Jail or Police custody or attempted to escape ;

(d) Those convicted under the Explosive Substances Act, 1908 ;

(e) Those sentenced to imprisonment for a term less than three years ;

(f) Those convicted by Court Martial or a Court of another State, where similar provisions for release on ticket on leave do not exist ;

(g) Those whose ticket on leave was on a previous occasion revoked by the Rajasthan Government under Sub-section (3) of Section 401 of the Act.

Eligibility for
release.

Save the prisoners, specified in Rule 3, any other prisoner with sentence for three years or more, who has served one-third of his sentence including remission, will be released on ticket on leave for one month every year on personal bond and sureties by the Government.

Aim of releasing
the prisoners
under these rules.

Releasing the prisoners under these rules should be regarded concession to encourage good conduct and to help the prisoner in his rehabilitation after release and it shall not be claimed by prisoners as a matter of right

Comutation of
sentence.

For the purposes of these rules the following principles shall be observed in computing the period of sentence of imprisonment, namely :--

- (a) When a prisoner has been sentenced to several terms of imprisonment for several offences and the sentences of imprisonment have been ordered to run concurrently, then the longest single sentence, which the prisoner is undergoing, shall be deemed to be the term of his imprisonment ;
- (b) When a prisoner has been sentenced to several offences and the sentences of imprisonment have been ordered to run consecutively, the total period which the

prisoner has to undergo shall be deemed to be the term of his imprisonment ;

- (c) Remissions already earned by the prisoner as well as the period of release on ticket on leave shall be counted as imprisonment served by him ; and
- (d) Life sentences shall be reckoned as 20 years.

Explanation :—The expression “Sentence of imprisonment” in these rules shall include imprisonment in default of payment of fine and imprisonment for failure to furnish security under Chapter VIII of the Act.

(1) Any prisoner eligible for release under rule 4 may make an application in Form I to the Superintendent three months earlier than the date of eligibility. Such forms shall be printed at the cost of the Government and supplied free of charge to the prisoners, to their relatives and to persons offering themselves as their guardians.

Procedure.

(2) On receipt of the application the Superintendent shall examine it to see if the prisoner and his proposed guardian have duly filled in the columns of the application meant to be filled in by them. If the application is not in order, the Superintendent shall return to the prisoner or his relations for necessary correction or supplying the omissions. If the application is in order, the Superintendent shall entertain it and cause it to be entered in a register maintained in Form II. If the prisoner is ineligible under rule, 3, he shall reject

the application and inform the prisoner and the Inspector General of Prisons of his order. If the prisoner is eligible for release he shall fill in the columns in the application meant for him and forward the same, as soon as may be, to the District Magistrate of the District in which the prisoner was convicted.

(3) On receipt of an application under Sub-rule (2) the District Magistrate shall immediately consult the Superintendent of Police and Probation Officer, where one is appointed, and, if necessary, the District Magistrate of the District in which, the prisoner ordinarily resides, and on receipt of their reports fill in the entries meant for him and shall, without delay, forward the same to the Inspector General of Prisons, Rajasthan.

(4) The District Magistrate shall maintain a register in Form III in which all applications received from the Superintendent, Jail under Sub-rule (2) shall be duly entered.

(5) The applications received from the District Magistrate by the Inspector General of Prisons shall be considered by a Board of Release on Ticket on Leave consisting of the Home Secretary to the Government of Rajasthan or any other officer empowered in this behalf by the Government, the Inspector General of Prisons or the Deputy Inspector General of Prisons and a Non-official nominated by the Government. Meetings of the Board shall be held every quarter to make necessary recommendations. The Home Secretary or, in his absence,

the Inspector General of Prisons shall be the Chairman of the Board.

(6) The Board, if it recommends release of the prisoner, shall indicate the amount and number of sureties required for a bail bond which the prisoner must execute before his release.

(7) In addition to furnishing personal bond and sureties for his appearance and conduct, the prisoner shall be under the supervision of a guardian appointed by the Government.

(8) The Government shall on receipt of recommendations of the Board pass such orders as it may deem proper.

(9) The Superintendent, Jail shall punctually submit to the Inspector General of Prisons a report in the first week of the month of January, April, July and October mentioning the details of prisoners released under these rules.

A prisoner, whose release on ticket is sanctioned by the Government, shall be granted a ticket in Form IV. Four copies of such a ticket shall be prepared for each prisoner. One shall be retained by the Government, another shall be sent to the Superintendent Jail, the third shall be forwarded to the District Magistrate and the fourth to the Inspector General of Prisons, Rajasthan.

Tickets.

As soon as the District Magistrate receive the orders of the Government, he shall communicate the same to the guardian of the prisoner and call upon him to produce such sureties in

Sureties and
personal bond.

such amounts as may be fixed by the Government. After sureties to the satisfaction of the District Magistrate have been produced, the latter shall ask the Superintendent Jail, to obtain from the prisoner a personal bond in the amount indicated by the District Magistrate and thereupon the guardian of the prisoner shall be directed by the District Magistrate to take charge of the prisoner. The form of personal bond and sureties shall be as prescribed in Form VI.

Release of the
prisoner.

On the guardian presenting himself, the Superintendent shall deliver to him the copy of the ticket received from the Government, hand over to him the prisoner and take his signature in the Register (Form II) in token of his having taken charge of the prisoner.

Guardian's Duty.

It shall be the duty of the guardian to see that the conditions of the ticket are fulfilled. He shall look after the conduct and shall generally act in *loco parentis*. If the prisoner's conduct is found to be bad, it shall be the duty of the guardian to report the fact to the District Magistrate.

Guardian's
Suitability.

(1) In each case the District Magistrate shall determine whether or not the proposed guardian is fit to act as such having regard to his or her status, antecedents and the degree of control that he or she may exercise on the prisoner, and inform the Government of his opinion.

(2) Parents or relatives of a prisoner may be appointed guardian if the District Magistrate is satisfied that they are fit to act as such.

(3) An official of a jail shall in no case be eligible to act a guardian, unless the Inspector General of Prisons sanctions it.

The Prisoner shall bear the journey expenses from and to the Jail but in case of such poor prisoners about whom the Superintendent is convinced that they cannot bear such expenses, the same may be met by the Jail. In such cases the District Magistrate may cause enquiries to be made as regards the prisoner's financial position and state whether the concession should be allowed or not.

Journey expenses
of the prisoners.

(1) The District Magistrate, on receiving information from the guardian or any other source, of the breach by the prisoner of the conditions of the ticket, shall serve a notice on him to show cause why his ticket should not be revoked. If the prisoner present himself in response to the notice then after hearing him and, if he does not present then without hearing him, the District Magistrate shall consider whether or not to recommend to the Government for the revocation of the prisoner's ticket, and shall act accordingly.

Revocation.

(2) In case the District Magistrate decides to recommend the revocation of the ticket, he may at the same time, if he considers that the convict is unfit to be allowed to remain at large under the ticket, order his or her arrest and detention in the prison pending the receipt of the orders of the Government.

(3) The Government shall on receipt of the District Magistrate's recommendation, pass such orders as it may deem proper. In case of

revocation an order under section 401 (3) of the Act shall be issued by the Government in Form V.

(4) If a prisoner released on ticket under the Act escapes from the supervision or authority of a guardian or fails to return to prison on the expiry of his leave, the guardian shall immediately inform the District Magistrate as under rule 11.



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FORM I

(To be supplied to a prisoner, his relative or his guardian free of charge.)

APPLICATION

(To be filled in by the prisoner and his guardian)

1. Name of the proposed guardian.
2. Name of guardian's father.
3. Guardian's occupation.
4. Guardian's age.
5. Guardian's residence (Village or mohalla, Police Station, district).
6. Is the guardian literate ?
7. Is the guardian related to the prisoner ?
if so, how
8. Names of persons who are prepared to stand as surety.

DECLARATION BY THE PRISONER

I hereby declare that I desire to be released on ticket on leave under section 401 (1) of the Code of Criminal Procedure; 1898 (Act V of 1898), and shall faithfully comply with the conditions of the ticket, if released.

Signature of the prisoner,
Prisoner's register No.....

DECLARATION BY THE GUARDIAN

I, myself or on behalf of.....Society.....
Institution

agree to undertake the supervision of.....
Prisoner mentioned above and shall comply with the Rules of Prisoner's Release on Ticket on leave and the conditions of the ticket.

Signature of the Guardian

Dated.....

(To be filled in by the Superintendent)

1. Name and register No. of the Prisoner.
2. Name of the Prisoner's father.
3. Prisoner's residence, village, or Mohalla, Police Station, District.
4. Prisoner's age,
5. Sentencing authority with case No.
6. Crime Section.
7. Sentence.
8. Date of sentence.
9. Casual or habitual.
10. Period spent in Jail upto the date of application.
11. Period spent in Jail upto the date of re-admission to Jail after the last release on ticket on leave.
12. Date of eligibility for release.
13. Physical and mental condition.
14. Conduct in jail.
15. Is the prisoner eligible in every way? If not, the Superintendent shall in his own hand record here the orders rejecting the application with reasons.
16. Is it advisable to release the prisoner on ticket on leave ?

Superintendent,

Dated.....

.....Jail,.....

(To be filled in by the District Magistrate)

1. Date of receipt in the District Magistrate's office.
2. Brief history of the case (motive of the crime, if determined by Court, should also be mentioned).
3. Is the proposed guardian fit to act as such ?
4. Amount of personal bond and sureties to be furnished,
(keeping in with the status of the prisoner)
5. Having regard to the prisoner's antecedents and his conduct in prison, is he likely to abstain from crime and lead a peaceful life if released on ticket ?

District Magistrate.

Dated.....

(Recommendation of the Inspector General of Prisons
General Remarks)

(Recommendation of the Board)

Recommended for release on ticket for a period
of.....on furnishing a personal bond
of Rs.....as two sureties of
Rs.....

Member.

Member.

Chairman.

Dated.....

ORDERS OF GOVERNMENT

Board's recommendation *accepted/rejected*.

Home Secretary to the Government of

Dated.....

Rajasthan,

FORM IV

Ticket on leave under section 401 (1) of the Code of Criminal Procedure, 1898 (Act of 1898)

In exercise of the powers conferred by section 401(1) of the Code of Criminal Procedure, 1898 (Act V of 1898), the Governor of Rajasthan is pleased, subject to the convict hereinafter described furnishing a personal bond and two sureties of Rs..... each for the observance of the conditions hereinafter set forth, to grant leave for a period of.....days to..... S/o.....agedresident of village..... Police Station..... District.....at present confined in Central/District Jail.....Jail Register Noand to place him under the supervision and authority of..... S/o.....resident of village..... Police station..... District....., hereby appointed as the guardian of the said prisoner.

This ticket shall expire on the... ..day of the date of release of the convict who shall on the date of such expiry return to the prison.

CONDITION TO BE OBSERVED BY THE CONVICT

(1) The convict shall remain under the supervision and authority of the above mentioned guardian during the period of leave. He or she shall obey all the instructions of the guardian issued to him or her either verbally or in writing regarding his or her residence, employment, or conduct.

(2) He or she shall not proceed beyond the limits of the places within which he or she may be restricted by his or her guardian without his or her permission and shall proceed to any place directed by the guardian and by the route prescribed by the guardian.

(3) He or she shall report himself or herself at such times and place and to such persons as the guardian may from time to time direct.

(4) He or she shall not commit any criminal offence punishable by any law for the time being in force in the Indian Union.

(5) He or she shall not in any way associate with persons known to be of bad character or lead dissolute or evil life

(6) If, in the opinion of the State Government, he or she is found to have committed a breach of the above mentioned conditions, the State Government may, after the person concerned has been given an opportunity to represent his or her case before the District Magistrate, revoke the ticket and direct his or her recommitment to prison to serve the rest of the sentence.

(7) On revocation of this ticket, the convict shall return to the prison named in the order of revocation on or before the date specified therein.

It shall be the duty of the guardian to see that the conditions of the ticket are fulfilled. He shall look after the conduct of the convict and generally act in loco parentis. If the convict's conduct be bad, it shall be the duty of the Guardian to report the fact to the District Magistrate.

If a convict released on ticket under the Act escapes from the supervision of authority of a guardian or fails to return to prison on the expiry of his leave, the guardian shall immediately inform the District Magistrate and the Superintendent and report to the nearest Police Station, and action shall be taken against the convict as in cognizable case.

By Order of the Governor.

Secretary to the Government of Rajasthan.

FORM V

*Order of Revocation of Ticket under Section 401(3) of the
Code of Criminal Procedure, 1898 (Act V of 1898)*

In exercise of the powers conferred by Section (3) of Section 401 of the Code of Criminal procedure 1898 (Act V of 1898), the Governor of Rajasthan hereby revokes, with effect from.....the ticket under Sub-section (1) of the said section of the said Act, granted on.....to..... S/O.....resident of.....Convict No.....of Central/District Jail.....under the guardianship of.....S/o.....resident of.....and directs that he be re-admitted into the Prison to serve out his sentence.

By Order of the Governor.

Secretary to Government of Rajasthan.

Dated.....

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FORM VI

Form of personal bond and sureties to be filled in by the prisoner and his sureties under rule of the Rajasthan Prisoner's Release on Ticket on Leave Rules.

We AB.....S/o.....Resident of.....(the Principals) and CD.....S/o.....resident of.....EF.....S/o.....(the Sureties) hereby bind ourselves jointly and severally to the Governor of Rajasthan for the payment to him of the sum of Rs.....Signed by

(Principal)

(Sureties)

on the.....day of.....196

Whereas the above bounden AB....., as prisoner has been released for a period of.....under the Rajasthan Prisoner's Release on Ticket on Leave Rules, 1964 framed under Sub-Section 6 of Section 401 of the Code of Criminal Procedure on his furnishing a bond for his personal appearance when ordered to do so and to be of good behaviour towards the Union of the Indian, the States and the citizens and other residents of the Union of India for the aforesaid period;

And where as the Said AB and said C D and the said EF as his sureties have entered into the above bond in the penal sum of Rs.....conditioned for the said AB's personal appearance when ordered to do so and his being of good behaviour for a period of as aforesaid;

NOW THE CONDITION of the above written bond is such that if the said AB appears when ordered to do so and remains of good behaviour during the period as aforesaid, then the above written bond or obligation shall be void and of no effect otherwise the same shall be and remain in full force.

IN WITNESS to the above written bond and the condition thereof we AB, CD, EF have signed hereunder this.....day of.....196

Signed

(AB)

Signed

(CD)

Signed

(EF)

Witnesses.

(1)

(2)

By Order.



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ANNEXURE 'G'

Section V

The Director of Jail Industries

The Director of Jail Industries is to assist and maintain discipline. As an Officer of the Jail, he shall make himself clearly acquainted with all the Jail rules, with which he shall strictly be bound and shall assist the Inspector General of Prisons. In case of emergency, he shall be expected to render his assistance at any time, but he shall not have power to interfere in any way with the administration or management of the Jail and matters not directly connected with the superintendence of the Manufactory department thereto.

Status of Director.—The Director of Jail Industries shall take rank above the Superintendent Jail 'A' Class and shall carry out all orders issued by the Inspector General and the Deputy Inspector General in matters relating to his own department, and shall be under the administrative control of the Inspector General of Prisons.

DUTIES REGARDING MANUFACTORY DEPARTMENT :

He shall be responsible for efficient management of manufactory department and shall directly conduct all operations relating to the manufacture of articles in the jails to the greatest possible advantage of the Government.

PRINCIPLE FOR DECIDING UPON WORK :

In deciding upon work to be done, he shall exert himself to ascertain what are the branches of labour, jail meet their requirements;

(a) Firstly, for the jail service;

(b) Secondly, for the Government Department; and

(c) Thirdly for the public, for the articles manufactured for public sale.

Directors responsibility for pecuniary success of prisons :—If these means of employment are exhausted, he must make himself acquainted with the state of the market and ascertain what other industries are likely to be most profitable, and how articles are to be best disposed off. He shall be regarded as partially responsible for the pecuniary success of the Jail.

Contracts of raw material :—For supplying raw material, the best practicable arrangements shall be made, and if contracts are entered into by the Superintendent jail, he shall satisfy himself of the responsibility of the contractor, and also that no corrupt arrangement is made between contractor and the jail officers and shall report the matter to the Inspector General of Prisons, furnishing him with a copy of the contract. He shall also see that most economical purchases are effected.

Director may purchase material and conduct business :—The Director of Jail Industries shall, subject to the approval of the Inspector General of Prisons, purchase the raw materials required

for use in all branches of the manufactures, and for these purposes, it will be his duty to acquaint himself with chief markets, where and at what season, articles can be best bought, so that purchases shall always, as far as practicable, be made in the cheapest market and at the most favourable rates obtainable.

*Director to endeavour to improve quality and to allot industries :—*The Director of Jail Industries shall prescribe the specifications of the manufacture of each article which are made on standard jobs and shall approve the rates of articles on the basis of calculations approved by the Government. He will use every endeavour to improve the quality of work turned out. He shall satisfy himself from time to time that the work carried out for each branch of industries is commensurate with the labour employed and the raw material consumed.

*Director to see that the convict labour is best utilised at every Jail :—*The Director of Jail Industries shall see that no convict labour is wasted and every jail is using convict labour according to the prescribed limits for jail services.

*Inspection of Jail factories by the Director of Jail Industries :—*He shall conduct atleast one inspection of every jail in one year, and shall see that all stores of raw material, finished goods, material in process, plant and machinery and other articles are kept well, and shall see also that the accounts are maintained properly as per Commercial Code.

*Accounts of stores :—*The Director of Jail Industries shall satisfy himself that proper account of all stores are maintained by the individual jail authorities and shall see that all registers and accounts prescribed are well maintained. He shall also see and verify that the stock of every jail is verified by the Superintendent as per standing orders.

*Director to keep constant watch :—*The Director of Jail Industries is required to keep a constant watch of the receipts and the payments of the manufactory department and all property of whatever kind relating thereto. He is liable for defalcations on the part of every officer serving under his orders, which have been in any way facilitated or rendered possible by any neglect of duty or omission on his part to exercise effective control and supervision.

SECTION VI.

Factory Managers and Assistant Factory Managers :

*Rank of Factory Managers and Assistant Factory Managers :—*The Factory Managers and Assistant Factory Managers will take rank above the Jailors and the Deputy Jailors respectively.

*Duties :—*All the rules relating to the Director of Jail Industries, shall apply Mutatis Mutandis to these Officers as well at the Jails, according to Jail manufactory guide, commercial code and directions of Director of Jail Industries.

ANNEXURE 'H'

Audit

The Superintendent shall afford all reasonable facilities to the departmental and other auditors in the examination of accounts and records. He shall dispose of the objection statement with all possible expedition and in all cases before the audit is closed.

Audit and disposal of objections.

The departmental auditor shall audit the accounts of the jail, factories and works. He shall check stocks of grains in the grain expense store and raw materials and manufactured goods in the store and in factories. He shall check factory accounts for the whole year and a proportion of the dietary, works and other jail accounts. He may also be assigned by the Inspector General any other duties connected with audit and account.

Departmental auditor.

The main purpose of audit being the correct maintenance of records by the accountants, storekeepers and factory officers, it shall be the duty of the departmental auditor to explain verbally and by actual demonstration the correct method of maintaining registers and records to the officers concerned.

The departmental auditor shall submit to the Inspector General of Prisons, an audit note on the condition of the factories and the accounts of each jail on completion of the audit,

sending a copy of the note at the same time to the Superintendent.

Action on audit
note.

On the receipt of the audit note either from the departmental auditor or from the auditors of the Accountant General's office or other auditors the Superintendent shall ordinarily deal with it within one month of its receipt and when this is not possible an interim report giving reasons for the delay shall be sent to the Inspector General Prisons.

Correspondence
regarding audit

The Superintendent Jail shall maintain a separate file in which all correspondence relating to audits and the explanations submitted and the orders passed shall be preserved for the information of the auditors.

The primary function of the internal audit is to verify the accuracy and completeness of accounts. All possible attention should, therefore, be devoted to the examination of initial records and accounts. It should also be seen that the rules and Government instructions issued from time to time are properly followed.

General
examination of
accounts.

The accounts of stores, cash book, purchase and contract account, acquittance rules for the entire period covered by the inspection should be examined generally to see that they are maintained in accordance with the prescribed rules and that the over-writings or erasures, if any, did not indicate any attempt to temper with the records or to evade the requirements of rules. The recorded transactions should be reviewed intelligently and doubtful and abnormal items should be examined closely.

It should be seen that the receipts realised during the month have been properly brought to account in the Cash Book and agrees with the amount shown in the respective receipt books. The amount has not been kept unnecessarily without being remitted into treasury. The remittance to the treasury should also be verified. The details of outstandings should also be specially noted and if they are heavy or old arrears are not being realised, the matter should be brought to the notice of the Head of the Department and the Superintendent.

Audit and receipts

Audit of Receipt Books:—The stock account of duplicate carbon counterfoil receipt books should be examined to see that.—

Audit and receipt books

1. The number of receipt books received agrees with the indent or requisition on the Forms of the Stationery Department and that all such receipt books are kept under lock and key, by a responsible officer;
2. Only one book is issued to an individual officer on return of the previous used up book;
3. The number of receipt forms containing in each book is recorded on the covering page under the initials of a responsible officer and all the forms are machine numbered;
4. The issue of a receipt book and the return of a used up book are duly acknowledged;
5. For cancelled receipt forms, there should be both the original and the duplicate in the receipt book, and

6. The closing balances in the stock account is verified by the head of the office by actually counting the number of receipt books in hand at the end of each month and certificate to that effect is recorded in the stock account.

Audit of receipts from the Cash Book:—The receipt side of the Cash Book should be checked with all counterfoils of receipts, etc. and the remittance to the treasury entered on the payment side with the challans receipted by the Treasury Officer or the Bank or with the treasury pass book.

Any return of receipts submitted by the head of the office to higher authorities should be checked with the Cash Book and subsidiary receipt registers.

In cases where verification of credits is not possible from the treasury schedules and remittance statement verified by the Treasury Officer, or suspicion is aroused in any particular case by the non-production of original challan etc. or over writing in the challans, a list of such credits with the relevant details should be got verified from the Treasury Officer.

Challans.

It should be seen that every challan has been stamped with the Treasury or the bank seal and that it has been initialled by the Treasury Accountant Officer or the bank authority as the case may be.

Security deposits:—It should be seen—

1. That security is taken as required under

rules from persons entrusted with the custody of cash or stores;

2. That security deposits are covered by a proper bond or agreement setting forth the conditions under which the security is held;

3. That Government paper tendered as security is taken at its face value or market price whichever is less at the time of deposit and that readjustment is made if there is subsequent appreciation or depreciation in value as prescribed by rules;

4. That the register of receipts and disposal of security is maintained that all entries since last audit are correct, and specially that acknowledgments of depositors for return of securities exist;

5. That the register as well as the securities are examined at least once a year by a responsible Officer of the department;

6. That either the securities or the acknowledgment of their authorised custodians are produced for inspection;

7. That in the case of Post Office Savings Bank Pass Book are hypothecated to the head of the office and are kept in his custody.

In the audit of expenditure it should be seen:—

Audit and
expenditure

(a) That there is a proper sanction, either special or general, accorded by competent authority authorising the expenditure;

(b) That vouchers for all sums of Rs. 50/- and below in amount, which are not required to

be sent to the Audit Office, are kept on record duly cancelled so that they cannot be used again;

(c) That the payment has actually been made to the proper person and that it has been so acknowledged and recorded that a double payment on the same account is impossible;

(d) That entries of payments in the local accounts are properly vouched;

(e) That all materials and stores billed or have been brought on the respective inventories;

(f) That the articles or materials billed have been purchased on the tender system, as prescribed in the financial rules of Government;

(g) That the quality and quantity of stores have been certified before payment and that no payment has been made to the suppliers in anticipation of the actual receipt of stores;

(h) That the rates paid for are not in excess of the accepted and the market rates do not exceed any rates or scales fixed under the rules or orders issued by competent authority;

(i) That the sub-vouchers contain notes of dates of payment;

(j) That the details work upto the totals;

(k) That there are no erasures and that any alteration in the figures have been attested by the drawing officers;

(l) That the expenditure has been incurred with due regard to financial propriety e. g., supplies in excess of requirements have not been obtained, that expenditure has been incurred only on legitimate objectives etc;

(m) That expenditure has not been unnecessarily incurred to prevent the lapse of budget allotment, and that charges incurred in one year have not been met from the budget allotment of the next year; and

(n) That the expenditure has been recorded under the correct heads of account.

It should also be examined that expenditure on contingencies, works etc., is being properly incurred according to the financial rules and that accounts indicate no laxity in supervision and control.

The inspecting staff should particularly see that unless otherwise permitted by the Government or by the competent authority, tenders have been invited in the case of all purchases of articles and stores. They should examine the original tenders and compare them with the comparative statements and the agreements finally accepted. Cases of alteration of figures, overwritings and other unauthorised corrections of tendered rates or other errors should be mentioned in the inspection report on the accounts of the offices inspected. The inspecting staff will also see that the rules laid down by Government or set out in the Manual in regard to invitation and acceptance of tenders and for entering into agreements with contractors have been observed. Cases of irregularities may be brought to the notice in the Inspection Report.

Tenders and
contracts

The files for contract agreements should be scrutinised to see :—

1. that the department made an intelligent assessment of their requirements regarding the

purchases to be effected and also decided the specification of each articles, which were notified in the Tender Notice itself and that the terms of the tender notice are quite clear regarding the last date of inviting tenders, the period for which supplies are required for, earnest money and security deposits, the time for supply of articles by the suppliers etc ;

2. that tenders are invited in the most open and public manner and that satisfactory reasons are recorded for accepting a tender other than the lowest ;

3. that contracts are executed either on standard forms or on special forms prepared in consultation with the law officer of the Government and that the terms are precise and definite and there is no room for ambiguity or misconstruction therein; and

4. that contracts are sanctioned by the competent authority and that the terms once entered into are not varied without special and proper sanction.

In case where a formal written contract is not made, it should be seen that the orders for supplies or for execution of works is not given without at least a written undertaking as to price or rate at which payment is to be made;

5. that indents have been given for all the articles at a time and not in piecemeal to tease the contractors; and

6. that timely payments have been made to the contractors.

1. See whether balance of postage stamps as shown in Postage Stamp Account Register with the balance in hand;

Stamp account.

2. check totals and closing balances;

3. see whether expenditure shown is proper and tickets of more denomination have not been used;

4. see that receipts are available; and

5. trace all purchases of stamps into the register, in respect of the months for which detailed check is to be conducted.

1. Trade all purchases of stationery as shown in the indent with the receipt entries of the register.

Stationery register

2. check the totals and closing balances;

3. see as far as possible that all issues are bonafide and not in excess of the scale prescribed by the Government.

4. see that the stationery articles are not purchased more than the requirements and physical verification is done.

The physical verification of cash should be done and the result recorded on all the Cash Books.

Cash accounts

The arrangements for the drawal of cash from the Treasury for realisation and for the custody, payment and accounting of cash should be examined to see that they are in conformity with the prescribed rules. The cash books should be generally examined and it should be seen :-

1. that all receipts of cash as shown in the counterfoils of receipt books as well as the cash received from the treasury on bills, cheques, are traceable under proper dates and with correct particulars ;

2. that receipts which should be remitted into the treasury were so remitted without any delay ;

3. that all payments are supported by proper vouchers, pay orders complete in all respects ;

4. that the totals are correct and the balances have been correctly worked out ;

5. that private cash is not mixed up with the regular cash of Government ;

6. that the cash book is closed and balanced on the prescribed dates ;

7. that there are no erasures or interpolations and that errors are rectified properly ;

8. that there is no tendency to keep an unduly large cash balance in hand and that cash in hands of cashiers etc., does not exceed the amount of security taken from them ;

9. that there is evidence in the cash book of verification of all entries made therein regarding receipts, payments and balances and that the balances of cash in chest are counted at least once a month i.e. on the last working day of each month and duly certified by the head of the office ;

10. that custody of cash overnight is under

the dual control of the cashier and another responsible official;

11. that the opening balances brought forward from the old cash books in the new cash book have been attested by the officer-in-charge;

12. that certificate of page is given on the title page under the signatures of the officer-in-charge.

13. that revenue receipts, for instance, security money, earnest money, sale of tender forms, prices, sale of unserviceable stores, cash of Prisoners' Welfare Fund Account or prisoners cash is not utilised towards departmental expenditure;

14. that the bills endorsed in favour of the party are not entered in the cash book.

It should be seen that:—

Contingent
vouchers.

1. the sub-vouchers available contain pay orders are signed by competent authority and they are supported by payees' acknowledgment with dates of payments;

2. the details given in the sub-vouchers agree with the entries in other registers (e.g. the number of days for which witnesses are paid should agree with the number of days of attendance in courts as shown in the witness register of the court and the stores purchases with the stores ledger, etc;

3. all payments are checked with vouchers. If any vouchers or sub-vouchers which under the rule should have been submitted to the

Accountant General are found to have been retained, the reasons for their retention should be enquired and their submission insisted upon;

4. all details work upto totals and the totals are in words as well as in figures;

5. revenue stamps have been affixed to the payees receipts in all vouchers for sums over Rs. 20 and they have been defaced;

6. purchase of typewriters, duplicators and stationery are made in accordance with the prescribed rules;

7. (i) each item of payment has been recorded in the contingent register and is initialled by the Head of the Office or any other Gazetted Officer authorised in this behalf;

(ii) the amount of work bills posted in the contingent register and included in the total is initialled by the disbursing officers;

(iii) the progressive totals of expenditure are made from month to month and do not exceed the budget allotment noted at the top of the register under each, and

(iv) that sub-vouchers are properly numbered;

8. (i) the flow of expenditure is even and if expenditure is unusually heavy in March, it does not lead to financial irregularities. Such heavy expenditure should also be brought to the notice of the Head of the Department,

(ii) all charges incurred must be paid and drawn at once, and under no circumstances may they be allowed to stand over to be paid from the grant of another year;

(iii) that no money is withdrawn from the treasury unless it is required for immediate disbursement.

The entries in the contingent register should be checked with the sub-vouchers where available and the propriety of the expenditure scrutinised with reference to rules and orders.

Audit of the
contingent register

It should be seen that :—

(1) each entry is initialled by the drawing officer;

(2) they are correctly entered in the columns having as heading the classification under which the expenditure falls;

(3) the total of the entries of the sub-vouchers agrees with the total of the contingent bill drawn;

(4) the total expenditure during the year under each head of classification does not exceed the allotment noted at the top of the respective column; and

(5) the details of stores and other articles purchased as shown in the entries tallies with those in the entries in the stock books or other registers or records maintained in the office.

The totals of the bills drawn in the contingent register should also be checked.

The audit shall be directed to ascertain that in regard to stores accounts the departmental regulations governing purchase, receipt and issue, custody, condemnation, sale and stock-taking of stores are well devised and properly carried into effect.

Stores and stock
accounts

As regards purchases of stores, it should be seen—

(1) that they are properly sanctioned and made economically, in accordance with any rules or orders made by competent authority for purchase of stores required for the public service, in particular when stores are purchased from contractors, the system of open competitive tenders is adopted and the purchase is made from the lowest tender unless there are recorded reasons to the contrary;

(2) that the rates paid agree with those shown in the contract or agreement made for the supply of stores;

(3) that certificates of quantity are furnished by the approving and receiving Government servants before payment is made except where the contract is allowed by the rules of Government regulating purchase of stores; and

(4) that order for purchase have not been split up so as to avoid the necessity of obtaining the sanction of higher authority required with reference to the total amount or orders.

Audit may call attention to cases of uneconomical purchase of stores and of any losses, which may be clearly and definitely attributed to the defective or inferior nature of stores which were accepted and certified to be satisfactory in quality.

The accounts of stores should be generally examined to see—

1. that they are kept in the prescribed form;

G. A. 161 (consumable stores) and G. A. 162 (non-consumable stores)

2. that entries of receipt and issues are made in them as transactions actually occur, that issues are supported by the proper authority and by proper acknowledgments and that some official is held responsible for checking that this is done properly and for seeing that balances are worked out correctly; that all purchases made during the year have been properly accounted for.

3. that the accounts of balances which were audited in the previous inspections have been produced complete in all respects, that no entries in them have been tampered with, that the closing balances as per previous accounts have been correctly carried forward to the accounts under scrutiny, and that there exists a certificate of periodical check of balances;

4. that stores are periodically counted, weighed or otherwise examined by some responsible official, other than the custodian of stores or his subordinates, wherever possible and verified with the balances in the stock book and that necessary action has been taken to adjust the surpluses or shortages noticed. The physical verification by the officer-in-charge is done at least once in a year in accordance with Rule 269 of the G. F. A. R. and the Annexure under it;

5. that there is no unnecessary accumulation of stores;

6. that adequate action has been taken for the disposal of surplus, obsolete and unserviceable stores;

7. that consumable and unconsumable stores are kept separate;

(8) that articles of different categories and quantities are entered on different pages.

9. that paging certificate is given on the title page.

Where a priced account is maintained it should be seen :—

(a) that the issues are priced with reasonable accuracy and the rates initially fixed are reviewed from time to time and revised where necessary so as to bring them within the market rates;

(b) that the value accounts tally with the accounts of works and of departments connected with stores transactions, that the total of the value account agrees with the outstanding amount in the general account and that the numerical balance of stock materials is reconcilable with the total of value balances in the accounts at the rates applicable to various classes of stores, and

(c) that steps are taken for the adjustment of profits or losses due to revaluation, stock-taking or other causes, and that these are not indicative of any serious disregard of rules.

These should be examined to see that there is proper acquittance for each amount disbursed. The amounts have been disbursed to the persons entitled to receive them and that the arrangements for keeping a proper watch over undisbursed amounts are satisfactory. That

arrear bills have been drawn in accordance with Rule 200 of the G.F.A.R. That the absentee statement attached with the office copy of the bill tallies with the Attendance Register.

*Prisoners Ledger Accounts and Prisoners
Property Cash Book*

Property register
and register of
undertrial
prisoners.

It should be seen:—

1. that the personal belongings (cash as well as property) of the unreleased prisoners are according to the balances of the registers and are in the custody of the Jailor or other responsible officer and that the particulars of the properties agree with those entered in the court warrant;

2. that the cash more than the limit fixed by the Inspector General Prisons has been deposited in the Personal Deposited Account.

3. that the cash not taken by the convicts at the time of release is either returned to them later on or deposited into Revenue Deposit Account. That the property of the convicts released is disposed of after obtaining orders of the Inspector General of Prisons and is not kept for years together;

4. that the cash received from the prisoners, or deposited by other relatives or earned by the prisoners have been entered in their ledger account as well as Cash Book;

5. that the acknowledgments in support of the amount disbursed as per Cash Book have been obtained in the register;

6. that all expenditure incurred and debited in the account of prisoners is supported by the application of the prisoners concerned and orders of the officer-in-charge;

7. that an individual account of prisoners deposited-money is being maintained and that the total shown in the prisoners deposit account tallies with the total amount shown in the cash book. That the officer-in-charge checks it monthly and a certificate recorded by the officer-in-charge in the Cash Book that the balance agrees with the balance shown in the Prisoner's Ledger Account.

It should be seen:—

1. that the subsistence allowance has been realised in advance at the scale prescribed by the Government from time to time;

2. that the subsistence allowance realised for Civil Prisoners according to the register has been duly entered in the Cash Book and the expenditure there from is properly accounted for;

3. that the unspent balance of subsistence allowance has been refunded to the Committing Court or the decree holder.

4. that bedding money has been duly credited into the treasury and the expenditure therefrom is properly accounted for.

5. that decree amounts paid into the Jail by the civil prisoners as shown in the register have been duly credited in the Cash Book and remitted to the Court and that the acknowledgements of the court are forthcoming.

Register of civil
prisoners.

It should be seen :

1. that all fines imposed upon and received from the prisoners are shown in the admission and release register and are correctly deposited into the Court, or sent to the treasury through a challan to be deposited under head XVII Administration of justice.

Convict under
trials admission
register.

2. that the fines received from the prisoners at the Jails/Sub-Jails are not accounted for as prisoners deposit but credited in the main Cash Book and deposited into treasury through challan under head XVII Administration of Justice.

3. that the thumb impressions or signatures of the prisoners are obtained in the register at the time of admission and release and the same are attested by the Jailor and officer-in-charge in token of correctness of entries made there in.

2. that all columns provided in the register are properly filed in and cash brought with convicts is entered and if no cash is brought, nil entry is made.

It should generally be seen:—

Diet register.

1. that the books are properly maintained and they bear evidence of check by the Superintendent Jail. The number dieted should be agreed with that shown in the Lock-up register after taking into account the admission and release during the day. Sometimes differences may occur owing to the fact that some release and admission which were expected to occur and for which provision was made in the indents did not actually take place. The number dieted

under each class of convicts should be agreed with the figures compiled from slips received from each ward or barrack, the slips are to be signed by the Superintendent ;

2. that the sick diet charged in the bill was supplied on the written recommendation of the Medical Officer and that the ordinary diet has not been supplied to the convict who has been supplied sick diet unless the Medical Officer writes in clear words that ordinary diet is to be supplimented by a particular item;

3. that the scale of sick diet or ordinary diet did not exceed the diet prescribed in the Jail Manual ;

4. that ration articles are obtained under proper indents in the name of the ration contractor;

5. that the total number of diet (ordinary and sick) charged in the Modis bill tally with the number of totals shown in the barrack register and the daily digest.

Clothing register.

It should generally be seen :—

1. that the Registers have been neatly kept and written upto date and that they bear evidence of check by the Superintendent ;

2. That blankets and durries are according to the scale prescribed by the Inspector General, Prisons.

3. That the clothing have been supplied according to the scale prescribed in the Manual.

4. That the used and unserviceable clothing are kept separate and in the charge of a

different clerk, whenever possible and accounted for properly in the unserviceable stock register.

5. That new purchases during the period of audit have been properly accounted for.

It should be seen :—

Control over
expenditure.

1. That the expenditure did not exceed the budget grant.

2. That timely action for the extra grant or surrender has been taken.

3. That the expenditure incurred during the last two months of the financial year was not abnormal so as to avoid lapse of funds or observance of formalities.

4. That the excesses and saving statement sent agreed with the actual expenditure and if not it should be brought specially to the notice of the Inspector General, Prisons as explanation has to be given to the Public Accounts Committee for the excesses or Savings.

5. That the Form No.2 and cash remittance statement duly verified by the Treasury Officer are sent in time.

The Service Books should be examined generally to see :

Service books.

1. That the Service Book in proper form is maintained for every non-gazetted superior Government Servant and a service roll for each class IV servant.

2. That entries of all events, leave, grade increment, promotion, demotion, suspension etc. etc., in the official career of a Government

servant are made in his service book and attested by competent authority.

3. That no alteration in the date of birth is made without the sanction of competent authority.

4. That entries on the first page are re-attested after five years.

5. That a comparison of the entries of pay and allowance in the service book is made with those in the pay bills.

6. That the service books have been annually shown to the Government servant and a certificate to that effect sent to the competent authority.

7. That fixation of the pay of the staff in the unified pay scales, rationalised pay scales and revised pay scales have been done and remarks to that effect recorded and if not, reasons may be enquired and noted in the inspection report.

8. That the arrear claims are not pending.

It should be seen

(i) That the register has been properly maintained and entries have been attested.

(ii) That the leave account has been properly worked out and few entries should be checked.

It should be seen :—

1. That the register is properly maintained and is put up before the officer-in-charge daily.

2. That the entries of leave in the register tallies with the entries in the leave register.

Leave account.

Attendance
register.

3. That in case of absence proper action has been taken.

It should be seen that action for verification of pension claims has been taken one year before the date of retirement and that the pension claims have been promptly attended to.

Pension cases.

It should be seen that they are promptly attended to and reports have been sent to the Government A.G., C. A.O., & Police, according to rules.

It should be seen that the register is properly maintained and timely action for recoveries are made.

Loans and advances.

It should be seen :—

Travelling allowance bills.

1. that the bills requiring counter signature have not been drawn without counter signatures.

2. that all the certificates and the purpose of journey is recorded in the office copy of the bills.

3. that the proper receipts of the payment have been obtained.

4. that unnecessary tourings have not been made.

All other account records not specifically mentioned above should be examined to see :—

1. that they are properly maintained in accordance with the prescribed rules and are upto date.

2. that they are periodically reviewed by a responsible officer.

ANNEXURE 'I'

Training of Prison Personnel.

Training School.

There shall be a Training School for prison personnel of Rajasthan located in Jaipur under the control of the Inspector General of Prisons, Rajasthan.

Staff and Trainees

The following staff shall be recruited for the jail Training School:—

S. No.	Designation.	Number.	Pay scale and remarks.
1.	Principal	1	Scale of Superintendent of Central Jail.
2.	Vice Principal	1	Scale of Superintendent Distt. Jail 'A' Class, preferably for Jail Department.
3.	Lecturer	1	Scale of Superintendent Jail, 'B' Class
4.	Librarian	1	Scale of Supdt. Distt. Jail, 'B' Class.
5.	Physical Training Instructor.	1	Scale equivalent to Physical Instructors of Education Deptt. in Higher Secondary Schools.

- | | | | |
|----|--|---|------------------------|
| 6. | Upper Division Clerk with knowledge of typing. | 1 | } Usual scales of pay. |
| 7. | Lower Division Clerk with knowledge of typing. | 1 | |
| 8. | Peons | 2 | Class IV. |

Besides the above staff part-time lecturers in horticulture, agriculture and industries criminology and correctional work shall be arranged for their lectures in Jail Training School. These lecturers will be paid honoraria and T.A. as approved by the Government.

Visiting part-time Lecturers,

Training programme shall be organised for the following categories:—

Categories.

(i) *Correctional Officers*. This category includes the Superintendent, the Deputy Superintendent, the Jailor, the Deputy Jailor and the Assistant Jailor. The correctional officers on recruitment shall undergo initial basic training of nine months at the school and this will include practical training in various branches of institutional management at the Central jail, Jaipur. Existing staff who have had no opportunity of extensive training shall also take advantage of this course. Further, refresher courses of three month's duration shall also be organised for these officers at fixed intervals so that they may be kept informed of the progressive trends in the field.

(ii) *Technical, Agricultural and Ministerial Personnel*. On recruitment, the technical, agricultural and ministerial personnel shall undergo

an initial basic training of three months in various aspects of institutional management. This will be a condensed version of the nine-month's programme. Besides, they shall at certain fixed intervals, be required to undergo refresher courses bearing on their specialised fields of work.

(iii) *Guarding Personnel.* On recruitment, all warders shall be required to undergo the basic training of six months which includes practical training in various aspects of institutional management and training imparted in cooperation with the police department. Those already in service and who have had no previous opportunity of undergoing this training shall also be required to complete the programme. Refresher courses shall also be organised at certain fixed intervals so that they may keep themselves in touch with developments in correctional work.

(iv) *Other Training Course.* The jail department requires personnel to be equipped better for specific aspects of the institutional programme in fields such as vocational training, physical training, social education, group work, recreation, industrial programme, etc. To meet such requirements, training courses shall be organised in addition to the basic and refresher courses specified above.

The training school shall also encourage discussion groups and seminars in addition to the class instruction.

Curriculum for the nine month's programme for training of officers (not below the rank of Assistant Jailor).

Curriculum.

Part I—(1) Elements of Sociology, (2) Elements of Psychology, (3) Criminology, (4) Methods of Social Work including case work, Group Work and Community Organisation, (5) Correctional Institutions, (6) Probation, Parole and Aftercare, (7) Legislation—(i) Indian Penal Code—(ii) Relevant Chapters of the Criminal Procedure Code. (iii) Elements of the Law of Evidence, (iv) Prisons Act, (v) Prisoners' Act, (vi) Transfer of Prisoner's Act, (vii) Attendance of Prisoners' Act, (viii) Borstal Act (Bihar), (ix) Probation of Offenders Act, 1958 (x) Children Act 1960.

Part II—(1) Prison Manual, (2) Accounts Manual, (3) Fundamentals of Financial Administration, (4) Office Administration (5) Service Regulations—(i) Recruitment and Training, (ii) Service Conditions, (iii) Service Conduct Rules, (iv) Staff Discipline, (v) Departmental Enquiry Procedure, (vi) Staff Welfare,—(6) Jail Statistics.

Part III—(1) Standards of Jail Buildings, (2) Security and Custody, (3) Gate, (4) Admission and Quarantine Procedure, (5) Classification Committee, (6) Daily Routine, (7) Education, (8) Work and Employment of Prisoners. (9) Industrial Technical and Vocational Training, (10) Cultural Activities, (11) Inmate Discipline, (12) Orderly Room Procedure, (13) Sanitation and Hygiene, (14) Health and Medical Information, (15) Barrack/Yard Management, (16) Kitchen Management, (17) Canteen Manage-

ment, (18) Hospital Arrangements, (19) Extramural Gangs, (20) Jail Stores, (21) Jail Agriculture, Dairy, Poultry, etc., (22) Pre-release Preparation, (23) Release.

Part IV—(1) Practical work in all sections of the institution, (2) Orientation talks, (3) Preparing case histories, (4) Conducting social education classes, (5) Organising cultural activities, (6) Demonstrations regarding various operations of institutional management, (7) Handling of emergencies (escape, hunger-strike, accident, assault, death, fire, riot, suicide, work-strike, epidemic, food poisoning, control of the violent prisoners, failure of electricity or water-supply, alarm procedure, etc.), (8) First Aid, (9) procedures regarding condemned prisoners.

Part V—(1) Physical Training Exercises, (2) Squad Drill (3) Company Drill, (4) Weapon Training, (5) Ceremonial Parade, (6) Unarmed Combat, (7) Baton and Cane Drill, (8) Obstacle Course (9) Inspection of Guard and Sentry Duties, (10) Saluting, (11) Reporting, (12) Kit Inspection, (13) Outdoor Games, (14) Use of Tear Gas.

Part VI—(1) Study Tour, (2) Visits to institutions—(i) Police Station, (ii) Finger Print Bureau, (iii) Modus Operandi Bureau, (iv) Courts, (v) Remand Home, (vi) Certified School (vii) Borstal School, (viii) Lock-up, (ix) Institution for Women Offenders, (x) Jail, (xi) Open Jail such as Sampurnanand Camps, (xii) Mental Hospital, (xiii) Civil Hospital, (xiv) After-care Institution, (xv) Industrial Training Centre and

Technical School, (xvi) Agricultural Farm, (xvii) Fire Brigade, (xviii) Physical Training School, (xix) Institutions for the Handicapped, — (2) Camp for Outdoor Training.

Part VII—(1) Committee Projects. (2) Seminars.

*Curriculum for the Six Months' Training of
Guarding Personnel.*

Though the topics are somewhat similar to the ones included under the nine months' programme for correctional officers, instruction for guarding personnel should be offered at an elementary level compatible with their educational background.

Part I (1) Physical Training Exercises, (2) Squad Drill, (3) Company Drill, (4) Weapon Training, (5) Ceremonial Parade, (6) Unarmed Combat, (7) Cane and Baton Drill, (8) Obstacle Course, (9) Guard and Sentry Duties, (10) Saluting (11) Reporting, (12) Kit Inspection, (13) Self-Defence, (14) Use of Tear Gas.

Part II—(1) History and Socio-economic Conditions of Rajasthan (2) Legislation, and judicial and Panchayat Economic Development, (3) Police Administration, (4) Fingerprint work, (5) Social Legislation in India, (6) History and Objectives of Jail Reform.

Part III—(1) Constitution of India Act, (2) Indian Penal Code, (3) Relevant Chapters of the Criminal Procedure Code, (4) Elements of the Law of Evidence, (5) Prisons Act, (6) Prisoners' Act, (7) Transfer of Prisoners' Act, (8) Attendance of Prisoners' Act, (9) Probation

of Offenders Act, (10) Borstal Act (Bihar), (11) Children Act 1960. The treatment of legislation will be at an elementary level.

Part IV—(1) Crime as a Social Problem, (2) Factors Associated with Crime, (3) History of Punishment, (4) Functions, of Correctional Institutions, (5) Probation, Parole and Aftercare, (6) Duties and Responsibilities of Correctional Personnel .

Part V—(1) Organisation of the the Jail Department, (2) Classification of Institutions, (3) Jail Manual, (4) Accounts Manual, (5) Service Conditions, (6) Service Conduct Rules, (7) Staff Discipline, (8) Staff Welfare.

Part VI—(1) Standards of Jail Buildings, (2) Security and Custody, (3) Gate, (4) Admission and Quarantine Procedure, (5) Classification Committee, (6) Daily Routine, (7) Care and Welfare of Prisoners, (8) Education, (9) Work and Employment of Prisoners, (10) Educational Technical and Vocational Training, (11) Cultural Activities, (12) Food Poisoning, (13) Orderly Room Procedure, (14) Sanitation and Hygiene, (15) Medical Aspects, (16) Barrack/yard Management, (17) Kitchen Management (18) Canteen Management, (19) Hospital Management, (20) Extramural Gangs, (21) Jail Stores, (22) Jail Agriculture, Dairy, Poultry, etc., (23) Pre-release Preparation, (24) Release, (25) Aftercare and Rehabilitation.

Part VII—(1) Hungerstrike, (2) Accident, (3) Assault, (4) Death, (5) Fire, (6) Riot, (7) Suicide, (8) Work-strike, (9) Control of the Violent prisoner, (10) Epidemics, (11) Food

poisoning (12) Demonstrations inside or outside jails, (13) Alarm Procedure

Part VIII—(1) Visits to (1) Police Station, (2) Fingerprint Bureau, (3) Modus Operandi Bureau, (4) Courts, (5) Remand Home, (6) Certified School, (7) Borstal School, (8) Institution for Women Offenders, (9) Prison, (10) Mental Hospital (11) Civil Hospital, (12) Aftercare Institution, (13) Industrial Training Centre and Technical School, (14) Agricultural Farm, (15) Fire Brigade, (16) Physical Training School, (17) Institutions for the Handicapped.

Part IX—(1) Outdoor Games for Outdoor Training.

Inter-study Tours shall be organised for the trainees to have opportunities to observe and study the correctional method including training programme adopted in different states. The Deserving Officers shall be deputed for specialised training at universities and special institutions of Social Sciences and Social Work providing advanced facilities for specialised training in correctional work and criminology.

Inter-state study
Tour.

All serving personnel including newly recruited personnel shall be entitled to pay training allowance and provided with rent-free quarters, arrangements for messing and free medical aid. They shall be paid T.A. and D.A. as per rules also.

Facilities during
Training

ANNEXURE 'J'

Panchayat in Jails

Panchayat in Jails
and its objects.

1. (a) The Panchayat in a jail in Rajasthan shall be called "Paramarsh Samiti" hereinafter referred to as "the Samiti."
- (b) Its office shall be within the Jail Premises
- (c) Its area of operation shall be confined to the four walls of the jail wherein it will function.

Aims and objects.

2. The aims and objects of the Samiti shall be:-

- (i) To create a sense of responsibility and self reliance amongst the prisoners.
- (ii) To bring about an over all development of the individual for his re-adjustment and rehabilitation.
- (iii) To develop a healthy social personality of the inmate to keep his anti-social desires under control,
- (iv) To inculcate in the prisoners self confidence, discipline and co-operation.

Rules.

3. (a) The Samiti shall be an elected body and all the inmates except those mentioned below shall take part in the elections:—
 - (i) Condemned prisoners,
 - (ii) Prisoners convicted of the offences against the State,

- (iii) Civil prisoners,
 - (iv) Lunatics,
 - (v) Detenues,
 - (vi) Undertrials,
 - (vii) Those punished for any Jail offence during the year.
- (b) The Samiti shall consist of five Panches including the Pradhan who will be elected by the Panches. No Panch who is not able to read and write properly, shall be elected as 'Pradhan.
 - (c) The Jail Welfare Officer shall be an ex-officio member but he shall have no right to vote. He will work in the capacity of an adviser only.
 - (d) The life of each Samiti shall be six months. Any vacancy will, however, be filled by election.
 - (e) No Panch will be eligible for re-election for the consecutive half year without the previous sanction of the Superintendent of that Jail.
 - (f) No prisoner, who has less than 6 months of his sentence to serve on the date of election, shall be eligible for election.
 - (g) In case of the abuse of his position a Panch may be removed from office after due enquiry by the Superintendent or the Dy. Superintendent of that Jail.
 - (h) The powers and functions of the Samiti will be limited to a discussion of matters relating to the welfare of prisoners e. g.

rations and kitchen, sanitation, recreation, books, education, games, canteen and cultural programmes.

- (i) The Samiti may also be entrusted with petty administrative responsibilities at the discretion of the Superintendent of that Jail. It may also be empowered to look into minor complaints against individual prisoners referred to it by the Superintendent or the Dy. Superintendent and to suggest suitable punishment to him.
- (j) The Samiti shall nominate inmates to look after cook house, food, clothing, labour, games, recreation including Dramas, shows, sanitation and cleanliness of the Institution. All nomination shall however, be subject to the approval of the Superintendent of the Jail.
- (k) Barracks, which will hereafter be called as 'Kaksh', will each have a Up Panch elected by the Samiti and approved by the Jailor or Dy. Jailor or Assistant Jailor of that Jail. It shall be the duty of that up-panch to look after the discipline etc. of his Kaksh. The Samiti shall have the power to remove any up-panch for misconduct or dereliction of duty etc.
- (l) Each up-panch of the Kaksh shall have an advisory committee of two or more prisoners at the discretion of the incharge jailor of that kaksh, who will be elected by the inmates of the Kaksh.

- (m) The Samiti shall elect a Secretary, who shall record all the cases and complaints referred to by the kaksh Jailor to it and shall put them up for decision before the Samiti together with the witnesses, if any. The Samiti will meet on Sundays for the purpose.
- (n) The Meeting of the General Samiti will be held once a month or earlier if considered necessary.
- (o) The quorum for the General Body Meeting of the Samiti will be 60 percent of the members of which at least three will be Panches.
- (p) The quorum for any decision which the Panches may take will be three.
- (q) The Superintendent as Incharge of the Jail shall have the power of vetoing or rejecting the resolutions on recommendations of the Samiti. Such decisions of the Superintendent shall be communicated to the Inspector General of Prisons, Rajasthan, with reasons thereof.

ANNEXTURE 'K'

Co-operative Societies in Jails.

Cooprative
Societies.

1. At every Central Jail and District Jail, there shall be cooperative society, of the staff which shall be governed and managed as per Rules of the Cooperative Department.

The Co-operative Society run by the staff may allow wage earning prisoners to become share holders of staff Cooperatives, and the Cooperative Department shall make necessary amendment in the Rules of Staff Co-operative Society on request by the Jail Department.

Jail Cooperative
Canteen.

2. At every Central Jail and District Jail, there shall be a Co-operative Canteen, herein after call as 'the Canteen'.

Aims and objects
of the Jail Co.
operative Canteen

3. The aims and objects of the Canteen will be as follows:—

(a) To obviate difficulties of the inmates in purchasing articles for their daily requirement from the market through the Jail authorities.

(b) To eliminate middle-men's profit earned by the contractors,

(c) To cater authorised needs of the inmates from their wages and deposits etc. permissible under the rules.

(d) To afford an opportunity to the inmates in organization and up-keep, management and running of a small concern like a canteen.

4. (i) There shall be a Management Committee which will consist of the following.

(a) Three members elected by the Jail Panchayat at the basis of the single non-transferrable vote.

(b) Ex-Officio

(1) The Accountant of the Jail (Treasurer).

(2) The Jailor-(President).

(3) The Dy. Jailor or the Asstt. Jailor (Secretary).

(ii) The management and control of the canteen shall be fully in the hands of the Managing Committee subject to the provision that nothing shall be done, which is prohibited by the Superintendent of the Jail.

(iii) The Managing Committee shall cause the minutes of all the meetings to be recorded.

(iv) The minutes of the Managing Committee shall be submitted to the Superintendent for approval.

(v) The Treasurer shall issue Canteen coupons through the Jailor to the inmates who wish to have them for purchases from the Canteen.

(vi) A profit of 5 P. per rupee will be charged from prisoners. The whole profit will be credited to the Prisoner's Welfare Fund and will be spent for the common good of the prisoners by the Superintendent in consultation with the Managing Committee.

(vii) Details regarding the running of the Canteen will be worked out by the Managing

Committee from time to time to suit its requirements but they shall be acted upon after the approval of the Superintendent of the Jail has been obtained.

(viii) If an inmate has money in balance in the account in Prisoners Cash Property or Wages register he may take from the Jailor, in coupons, the amount permitted or fixed by the Superintendent for which he will give his receipt in these registers in his account and the Jailor shall hand over the money namewise to the Treasurer of the Canteen, through a Cash Book to be maintained by the latter.

(ix) To facilitate the above transaction, the Treasurer will keep with the Jailor a standing stock of coupons worth Rs. 100.00 on Imprest System i.e., every time the Jailor sends his cash in lieu of coupons issued by him, the Treasurer while receiving the cash will replenish the Jailor's stock of coupons by that amount.

(x) The purchase of Canteen goods shall be made from the open market on lowest competitive rates and store accounts shall be maintained by the Secretary of the Canteen Management Committee with full concurrence of the Treasurer. The Committee may get such duties performed by some one else than the Secretary if necessary. Whosoever is appointed to perform these duties shall maintain the following registers:—

(a) Stock book of articles of furniture etc. in the canteen.

(b) Stock Book of articles for sale.

(c) Record of authority to purchase, receipts and allied record.

(xi) The treasurer shall make payments for those items of expenditure as are authorised by the Managing Committee and shall in this connection maintain:-

(a) The Cash Book.

(b) The Record of Bills and receipts and allied documents.

(xii) The Treasurer will hand over to the inmate Incharge of the Canteen Shop, saleable and non-saleable goods to the extent of the Security deposited by him or any amount duly authorised by Managing Committee.

(xiii) All amounts above Rs. 100.00 shall be kept by the Treasurer with the Superintendent or the Dy. Superintendent.

(xiv) The Managing Committee will meet at least once every month and examine the Canteen accounts and working of the preceding month.

(xv) Election will be held once in 6 months or whenever a vacancy arises and the elected members shall hold office for 6 months or till a new election whichever is earlier.

(xvi) Elections will be held in the General House, in which half yearly the Balance Sheet and half yearly reports on the working of the Canteen shall be presented by the Secretary.

(xvii) The President shall preside all meetings in whose absence the members may elect a

Chairman from amongst the members to conduct the proceedings of the day.

(xviii) The Secretary shall maintain the records of all the meetings and carry out all other functions as may be necessary.

(xix) The quorum for the Managing Committee meeting will be of three members of which one must be from amongst the ex-officio members.

(xx) A price list showing the retail sale price of the articles of the Canteen shall always be displayed in the Canteen under the signature of the Secretary.

(xxi) No changes in these rules shall be valid without the sanction of the Inspector-General of Prisons, Rajasthan.

(xxii) The Inspector General of Prisons of Rajasthan shall see the working of system etc. of the Canteen on his inspection of the Jail.

(xxiii) The Accounts of the Canteen shall be audited by the Auditor of the office of the Inspector General of Prisons, Rajasthan twice a year, namely in April and October.

STATEMENT SHOWING FINANCIAL IMPLICATIONS.
NET RESULT.

No. of the Chapter	Name of the Chapter	Proposed Increase		Proposed Decrease		Net Result		Rem- arks.
		Recurr- ing	Non-rec- urring	Recurr- ing	Non-rec- urring	Recurr- ing	Non-rec- urring	
I.	Prison and Prisoners.	—	—	—	—	—	—	—
II.	Jails in Rajasthan.	43,060	1,66,560	—	—	43,060	1,66,560	—
III.	Model Jail	1,200	5,000	2,400	—	1,200	5,000	—
IV.	Female Reformatory	15,054	8,000	—	—	15,054	8,000	—
V.	Juvenile Reformatory	6,096	—	—	—	6,096	—	—
VI.	Open Camp.	43,740	1,000	1,28,000	—	84,260	1,000	—
VII.	Rehabilitation.	1,54,290	—	—	—	1,54,290	—	—
VIII.	Education of Prisoners	23,350	10,000	—	—	23,350	10,000	—
IX.	Jail Industries.	39,400	63,000	1,00,000	—	60,600	63,000	—
X.	Agriculture	7,960	17,000	10,000	—	2,040	17,000	—
XI.	Punishment and Reward	8,880	—	1,796	—	7,084	—	—
XII.	Probation	—	—	—	—	—	—	—
XIII.	Administration	4,81,720	—	2,12,500	6,14,500	2,69,220	(-)6,14,500	—
XIV.	Jail Audit & Accounts	8,100	—	8,040	—	60	—	—
XV.	Training of Jail Personnels	47,390	10,000	—	—	47,390	10,000	—
	Total	8,80,240	2,80,560	4,62,736	6,14,500	4,17,504	(-)3,33,940	—

CHAPTER II

JAILS IN RAJASTHAN

FINANCIAL IMPLICATIONS.

Sl. No.	Proposed Increase Particulars	No. of posts	Scale	Amount.		Proposed decrease.				Amount		Net amount		Remarks.
				Recurring	Non recurring	Particulars	No. of posts	Scale	Recurring	Non recurring	Recurring	Non recurring		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	
1.	Stenographers English One Hindi One Dearness allowances	2	140-4-150. -7 -180 10-290.	5040 480	-	-	-	-	-	-	5040 480	-		
2.	Replacement of factory sheds.			50,000	-	-	-	-	-	-	-	50000		
3.	House Rent allowance to 13 Asstt. Jailors.		5x13x12	2340	-	-	-	-	-	-	2340	-		
4.	Liveries to warders cost of ammunition Boot & Hostels in lieu of Mudda Shoes.		1340x10	13,400	-	-	-	-	-	-	13,400	-	Difference due to increase has been provided-	

1	2	3	4	5	6	7	8	9	10	11	12	13	14
5.	Uniform Allowance to executive staff (Non-Gazetted.) i. e. Jailors, Dy. Jailors and Asstt. Jailors etc. engaged in Executive duties.		45x120	5,400	-	-	-	-	-	-	5,400	-	
6.	Psychologists & Psychiatrists.	2	@100 P.M.	2,400	-	-	-	-	-	-	2,400	-	
7.	Flush lavatories with septic Tanks.		300	-	75,000	-	-	-	-	-	-	75,000	
8.	Purchase of Fans for Hospitals.		16x160	-	2,560	-	-	-	-	-	-	2,560	
9.	Purchase of curtains for the prison Barracks			-	5,000	-	-	-	-	-	-	5,000	
10.	Making the Kitchen Fly proof.			-	5,000	-	-	-	-	-	-	5,000	
11.	Providing of Boundary wall at Jails & Sub-Jails.			-	-	-	-	-	-	-	-	-	Estimate to be prepared by P.W.D.
12.	Providing of Newspapers.			-	4,000	-	-	-	-	-	4,000	-	

1	2	3	4	5	6	7	8	9	10	11	12	13	14
13.	Additional Facilities e. g. tooth powder, Oil, Soap & other Facilities.	-	-	10,000	-	-	-	-	-	-	10,000	-	-
14.	Sleeping berths	-	-	-	-	-	-	-	-	-	-	-	Estimate to be prepared by P. W. D.
15.	Initial grant for Uniform to office.s.	-	-	-	5,000	-	-	-	-	-	-	5,000	
16.	Initial grant for Uniform to executive staff (non gazetted) i.e.asstt. Jailors, Dy.Jailors and Jailors etc.	-	-	-	24,000	-	-	-	-	-	-	24,000	
Total				43,060	1,66,560	-	-	-	-	-	43,060	1,66,560	-

CHAPTER III
MODEL JAIL
Financial Implications

Sl. No.	Proposed Increase. Particulars	No. of Posts	Amount.		Decrease. Particulars of posts.	Amount.					Net. Amount.		Remarks.
			Recurring	Non-recurring		Recurring	Non-recurring	Recurring	Non-recurring	Recurring.	Non-recurring.		
1	2	3	4	5	6	7	8	9	10	11	12	13	
1.	Improvement in Hospital, Kitchen and Lavotaries.	—	—	5,000	—	—	—	—	—	—	5,000		
2.	Separate building for Model Jail.	—	—	—	—	—	—	—	—	—	—	Estimate to be Prepared by P.W.D. in case the proposal is approved by the Govt.	
3.	Appointment of Psychiatrist/ Psychologist.	1	1,200	—	—	—	—	—	—	1,200	—	It is presumed that they will be available @Rs 100/- P.M. each on part time basis.	
4.	Wages to prisoners.	—	—	—	—	—	—	2,400	—(-)	2,400	—	In view of the abolition of the system existing in Ajmer there will be saving of about Rs. 2,400/-	
Total.			1,200	5,000				2,400	(-)	1,200	5,000		

CHAPTER IV

FEMALE REFORMATORY

Financial Implication.

Sl. No.	Proposed Increase. Particulars.	No. of Posts.	Scale.	Amount.				Decrease.				Remarks.			
				Recurring.	Non-Recurring.	Particulars.	No. of Posts.	Scale.	Recurring.	Non-Recurring.	Amount.	Recurring.	Non-Recurring.	Net Amount.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14		
1.	Lady Deputy Superintendent.	1	285-25-510-EB-25-560-30-800.	6,096	-	-	-	-	-	-	6,096	-	-		
2.	Part-time Lady Dr.	1	@ Rs. 40/- P.M.	480	-	-	-	-	-	-	480	-	-		
3.	Educational Officer.	1	200-10-310-12½-435.	3,528	-	-	-	-	-	-	3,528	-	-		
4.	Trained Teacher for Children of Females	1	75-3-90-5-110-EB-5-130-EB-5-160.	1,320	-	-	-	-	-	-	1,320	-	-		
5.	Female attendant (Part time).	1	10×77.	770	-	-	-	-	-	-	770	-	-		
6.	Allowance and Honoraria.	-	-	560	-	-	-	-	-	-	560	-	-		

1	2	3	4	5	6	7	8	9	10	11	12	13	14
7.	Removal of wall of enclosure No. 8.			—	2,000	-	-	-	-	-	—	2,000	-
8.	Play equipment for children.			300	-	-	-	-	-	-	300	-	-
9.	Extra clothing for Female.			1,000	-	-	-	-	-	-	1,000	-	-
10.	Increase in diet facilities.			1,000	-	-	-	-	-	-	1,000	-	-
11.	Balwadi, Recreation & Decoration.			—	3,000	-	-	-	-	-	—	3,000	-
12.	Separate Sanitary arrangement			—	3,000	-	-	-	-	-	—	3,000	-
Total.				15,054	8,000						15,054	8,000	

CHAPTER V
JUVENILE REFORMATORY
Financial Implications

Proposed Increase in Particulars.	No. of Posts.	Scale.	Amount.		Proposed decrease Particulars No. of posts. Scale	Amount.		Net Amount.		Remarks.
			Recur- ring.	Non- Recur- ring.		Recur- ring.	Non- Recur- ring.	Recur- ring.	Non- Recur- ring.	
1. Deputy Superintendent.	1	285-25-510- EB-25-560- 30-800	6,096	-	-	-	-	6,096	-	-
Total.			6,096	-	-	-	-	6,096	-	-

CHAPTER VI
OPEN CAMPS
FINANCIAL IMPLICATIONS

S. No.	Proposed Increase Particulars	No. of Posts	Scale	Amount		Proposed decrease.	Amount		Net Amount.	Remarks.			
				Recurring.	Non-Recu- ring.		Recurring	Non-Recu- ring.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14

EXPENDITURE ON ONE OPEN CAMP

1	Superintendent	1	285-25-510- EB-25-	6,096	-	-	-	-	-	-	6,096	-	-
2	Medical Officer	1	225-20-285- 25-435-EB- 25-560- 30-800	5,340	-	-	-	-	-	-	5,340	-	-
3	Jailor	1	155-10-385 -15-435- 25-485	3,180	-	-	-	-	-	-	3,180	-	-

1	2	3	4	5	6	7	8	9	10	11	12	13	14
4	Accounts Clerk with Spl. pay @ Rs. 10/- P. M.	1	105-5-150-8-190-10-240	1,380	-	-	-	-	-	-	1,380	-	-
5	Compounder	1	90-4-110-EB-5-155-7½-170	1,536	-	-	-	-	-	-	1,536	-	-
6	Lower Division Clerk	1	90-4-102-EB-4-110-5-150	1,080	-	-	-	-	-	-	1,080	-	-
7	Head warders	2	65-1-70-2-90	1,848	-	-	-	-	-	-	1,848	-	-
8	Warders	10	50-1-70-2-76-EB-2-80	7,200	-	-	-	-	-	-	7,200	-	-
9	Sweepers	2	45-1-70	1,290	-	-	-	-	-	-	1,290	-	-
				<u>28,950</u>							<u>28,950</u>		
10	Allowances and Honoraria,												
	Travelling allowance			1,000	-	-	-	-	-	-	1,000	-	-
	Dearness Allowance			2,760	-	-	-	-	-	-	2,760	-	-
	Medical Allowance			1,000	-	-	-	-	-	-	1,000	-	-
	Extra Allowance @ 20%			5,790	-	-	-	-	-	-	5,790	-	-
				<u>10,550</u>							<u>10,550</u>		

1	2	3	4	5	6	7	8	9	10	11	12	13	14
11	Other Charges : Postage and Telephone			500									
	Light and Water.			300									
	Books			100									
	Liveries			840									
	Moving of prisoners.			1,500									
	other petty items.			1,000									
	Purchase of typewriter			-	1,000						4,240	1,000	-
12	Savings on account of maintenance charges to be paid by the convicts			-	-	-	-	1,28,000	-	(-)	1,28,000	-	-
	Total			43,740	1000	-	-	(-)	1,28,000	-	(-)	84,260	1,000

CHAPTER VII

REHABILITATION

FINANCIAL IMPLICATIONS

Sl. No.	Proposed Increase. Particulars.	No. of posts.	Scale	Decrease.										Amount. Net				Remarks.
				No. of posts.	Scale.	Recur- ring.	Non-Re- cur- ring.	Parti- culars.	Non-Re- cur- ring.	Amount.	Recur- ring.	Non-Re- cur- ring.	Amount.	Recur- ring.	Non-Re- cur- ring.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15				
1.	Medical Officers	2	225-20-285-25-435-EB-25-560-30-800.	10,680	-	-	-	-	-	-	-	-	-	10,680 -				
2.	Teachers.	6	75-4-95-5-105-EB-5-130-5-160.	8,160	-	-	-	-	-	-	-	-	-	8,160 -				
	Allowance and Honoraria			2,900	-	-	-	-	-	-	-	-	-	2,900 -				
3.	Purchase of Books and Magazines and papers.			5,000	-	-	-	-	-	-	-	-	-	5,000 -				
4.	Cost of Medicine																	
	(a) Jails @ 2000/- less already provided.			10,000	-	-	-	-	-	-	-	-	-	10,000 -				

1	2	3	4	5	6	7	8	9	10	11	12	13	14
	(b) Sub-Jails@250/- each X 77 less Rs. 100 already provided.		77 x 150	11,550	-	-	-	-	-	-	11,550	-	
5.	Cost of increase in Diet.			1,00,000	-	-	-	-	-	-	1,00,000	-	
6.	Recreational facilities			5,000	-	-	-	-	-	-	5,000	-	
7.	Interview facilities			1,000	-	-	-	-	-	-	1,000	-	
	Total —			1,54,290	-	-	-	-	-	-	1,54,290	-	

Note:—Separate wing may be attached for a Central Jail for T. B. Leprosy, Lunacy and Maternity cases which will cost Rs. 25,000/-on building. 15,000/- for equipment and 10,000 recurring expenditure on staff and maintenance of patients. This expenditure is not necessary if a separate wing is provided to the Jail Department by the specialised Institutions of the Medical Department.

CHAPTER VIII
EDUCATION OF PRISONERS
FINANCIAL IMPLICATIONS

S. No	Particulars	No. of posts	Scale	PROPOSED INCREASE.		PROPOSED DECREASE				Remarks.
				Recur-ing.	Non-recu-ing	Recur-ing.	Non-recu-ing	Amount	Net	
1	Librarians	8	130-5-155-10-235-15 250	18,430	—	—	—	18,430	—	—
	Dearness Allowance			1,920	—	—	—	1,920	—	
2	Purchase of Books			2,000	5,000	—	—	2,000	5,000	
3	Purchase of Furniture			1,000	5,000	—	—	1,000	5,000	
Total				23,350	10,000	23,350				10,000

CHAPTEK IX JAIL INDUSTRIES

FINANCIAL IMPLICATIONS

P R O P O S E D I N C R E A S E				D E C R E A S E										Remarks.
S. No.	Particulars.	No. of posts.	Scale	Amount		Particulars.	No. of posts.	Scale	Amount		Net Amount			
				Recurr- ing.	Non- Recur- ing.				Recurring	Non- Re- curring	Recurring	Non-Recur- ring		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	
1.	Designer.	1	115-5-155 -10-225- EB-10- 295-12- 320-335	2,250	-	-	-	-	-	-	2,250	-	-	
2.	Special Officer for Sales.	1	130-5-155 -10-235 -250	2,300	-	-	-	-	-	-	2,300	-	-	
3.	Weaving Instructors.	2	75-3-90-4 -110-5- 130-EB-5 -160	2,640	-	-	-	-	-	-	2,640	-	-	

1	2	3	4	5	6	7	8	9	10	11	12	13	14
13. Additional Industries.				25,000	25,000	-	-	-	-	-	25,000	25,000	-
14. Additional income on account of improved implements & additional investments.				-	-	-	-	-	1,00,000	- (-)1,00,000	-	-	-
 सत्यमेव जयते													
Total				39,400	63,000	-	-	-	1,00,000	- (-)60,600	63,000	63,000	-

CHAPTER XIII

ADMINISTRATION

FINANCIAL IMPLICATION

S No.	Proposed Increase. Particulars.	Amount.		Decrease. Particulars	Amount.		Net Amount.	
		Recu- ring	Non- Recu- ring		Recu- ring	Non- Recu- ring	Recu- ring	Non- Recu- ring
1	2	3	4	5	6	7	8	9
1.	Travelling allowance to warders. Moving of Prisoners.	19,000 21,000			2,12,500	-	(-)1,63,500	-
2.	Upgrading charges of District Head quarters.	9,000			-	2,74,500	-	(-)2,74,500
3.	Upgrading of Five Lockups.	2,25,000			-	3,40,000	2,25,000	(-)3,40,000
4.	Expenditure in revision of pay scales of the Jail staff.	2,07,720					2,07,720	
	Total	4,81,720			2,12,500	6,14,500	2,69,220	(-)6,14,500

CHAPTER XIV.

Jail Audits Accounts.

FINANCIAL IMPLICATIONS

Sl. No.	Proposed Increase.			Decrease			Net Recurring.	Remarks.
	Particulars.	Sl. No.	Scale	Amount Recurring.	Particulars	Sl. No.	Scale	
1.	Pay of Accounts Clerks.	5	150-5-150-8-190-10-240.	6,300	U.D.C.	2	105-5-150-8-190-10-240	
2.	Special Pay.		5x10x12	600	Head Office Allowance.		2x10x12	240
3.	Head Office Allowance.		5x10x12	600	Dearness Allowances L.D.C	4	90-4-102-EB-110-5-150	240
4.	Dearness Allowance.		5x10x12	600	Head office allowance.		4x5x12	240
					Dearness allowance.			480
								60.00
Total				8100			8040	60.00

AGRICULTURE IN RAJASTHAN JAILS.

FINANCIAL IMPLICATIONS.

S.No.	Proposed Increase.	Amount.		Decrease.	Amount.			NET. Amount.			Remarks.
		Recu- ring	Non- Recu- ring		Recu- ring	Non- Recu- ring	Recu- ring	Non- Recu- ring			
1	2	3	4	5	6	7	8	9	10		
1.	Instalation of pumps.	-	10,000	-	-	-	-	-	10,000		
2.	Purchase of Agricultural Implements and livestock at Bharatpur.	-	7,000	-	-	-	-	-	7,000		
3.	Agricultural Officer 185-400,	2220					2,220				
	Travelling Allowance	500					500				
	Dearness Allowance, <i>Other Charges.</i>	240					240				
	Purchase of manures and seeds and other miscellan- ious expenses.	5000					5,000				
	Income				10,000		(-)	10,000			
		7,960	17,000		10,000		-	2,040	17,000		

STATEMENT SHOWING THE EXPENDITURE INVOLVED IN REVISING THE PAY SCALE

S. No.	Name of the post	No. of posts	Present grade	Average pay	Proposed grade	Average pay	Difference for 1 month	Net Result		
								Average pay	Excess	Saving
1	2	3	4	5	6	7	8	9	10	10
1.	Inspector General of Prisons.	1	950-50-1400	1,220	1500-100-1800	1710	490	5,880	—	—
2.	Asstt. Inspector General of Prisons designated as Deputy Inspector General of Prisons.	1	550-30-820-EB-30-850-50-950.	770	650-50-1250	980	210	2,520	—	—
3.	Superintendent Central Jails.	2	No change.	No change.	No change.	—	—	—	—	—
4.	Superintendent District Jail 'A' Class.	4	275-20-335-25-560-30-650.	462	285-25-510-EB-25-560-30-800.	508	38	1,824	—	—
5.	Deputy Superintendent.	4	170-10-310-12½-385.	259	-do-	508	249	11,952	—	—

1	2	3	4	5	6	7	8	9	10
13. Director of Jail Industries.		1	225-10-275-EB-10-285-15-435-25-485.	342	285-25-510-EB-25-560-30-800.	508	166	1,992	—
14. Factory Manager.		2	115-5-155-10-255-EB-10-295-12½-320-335.	188	225-10-275-EB-10-285-15-435-25-485.	342	154	3,696	—
15. Assistant Factory Manager.		7	105-5-200.	146	115-5-155-10-235-EB-10-295-12½-320-335.	188	42	3,528	—
16. Part time allowance to Officer Incharge Sub-jails.		76		@ 35/-				31,920	—
17. Part time allowance to compounders @ 15/- P. M.		76	6276					13,680	7,404 —

1	2	3	4	5	6	7	8	2	10
18.	Part time allowance to Doctors @ 35/- P. M. in place of existing rate of 20, 25 and 30. 76 22380								
						31920	9,540	—	—
Total :—									2,07,720

*Note :—*In the Chapter on Administration, the two posts of Inspectors have been treated as separate. But the intention was to treat them along with the posts of eleven Jailors.

Thus the post of Jailors actually comes to thirteen. In that case the above figures be Rs. 2,09,320 and not Rs. 2,07,720 as both these posts are of the same cadre.

STATEMENT SHOWING THE EXPENDITURE IN UP GRADING
THE LOCKUP OF DISTRICT HEAD QUARTERS.

Name	No.	Scale	Average Pay	Amount.
1	2	3	4	5
Head Warders	57	65-1-70-2-90	81	4,860
Warders.	5	50-1-70-2-76- -EB-2-80	60	3,600
Part time allowance to waterman (30-25)	5			300
Part time allowance to sweeper (20-15)	5			300
Part time allowance to compounder(10-7)	5			36
Probable savings.	5			(-) 96
			Total:-	9,000

CHAPTER. XV

Training of Prison Personnel

FINANCIAL IMPLICATIONS.

No.	Proposed Increase.		No. of posts.	Scale	Amount.				Decrease.				Amount.				Net				Remarks.
	Particulars				Recu- ring	Non Recu- ring	Recu- ring	Non- Recu- ring	Scale posts.	No. of Particu- lars.	Recu- ring	Non- Recu- ring	Recu- ring	Non- Recu- ring	Recu- ring	Non- Recu- ring	Recu- ring	Non- Recu- ring	Recu- ring	Non- Recu- ring	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
1.	Principal	1	550-30-820-EB-30-850-50-950.	9,244	-	-	-	-	-	-	9,244	-	-	-	-	-	-	-	-	-	-
2.	Vice Principal	1	285-25-510-EB-25-560-30-800.	6,096	-	-	-	-	-	-	6,096	-	-	-	-	-	-	-	-	-	-
3.	Lecturer	1	-do-	6,096	-	-	-	-	-	-	6,096	-	-	-	-	-	-	-	-	-	-
4.	Librarian	1	130-5-155-10-235-250	2,300	-	-	-	-	-	-	2,300	-	-	-	-	-	-	-	-	-	-
5.	Physical Training Instructor.	1	115-5-155-10-255-EB-10-295-12½-320-335	2,250	-	-	-	-	-	-	2,250	-	-	-	-	-	-	-	-	-	-
6.	U. D. C. with Knowledge of typing	1	105-5-150-8-190-10-240.	1,950	-	-	-	-	-	-	1,950	-	-	-	-	-	-	-	-	-	-

1	2	3	4	5	6	7	8	9	10	11	12	13	14
7.	L. D C. with Knowledge of typing	1	90-4-102-EB-4-110-5-150.	1,464	-	-	-	-	-	-	1,464	-	-
8.	Peons.	2	45-1-70	1,270	-	-	-	-	-	-	1,270	-	-
9.	Travelling allowance of Part-time Lecturer.			1,000	-	-	-	-	-	-	1,000	-	-
10.	Honoraria to Lecturer			2,000	-	-	-	-	-	-	2,000	-	-
11.	Dearness allowance			720	-	-	-	-	-	-	720	-	-
12.	Other charges.			10,000	10,000	-	-	-	-	-	10,000	10,000	
13.	Building rent.	-		3,000	-	-	-	-	-	-	3,000	-	-
Total :-				47,790	10,000	-	-	-	-	-	47,390	10,000	

